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Q & A QUESTIONS

PROSPECTS FOR DECOMMISSIONING

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Q25. Has de-commissioning taken place before in Ireland?

Q26. But there have been cessations of violence before in Ireland:- at the end of the War of Independence (1921); at the end of the Civil War (1923); at the end of the IRA Campaign in 1962. What happened on these occasions?

Q27. In what way did it affect attitudes?

Q28. Have these attitudes, which you say became part of IRA thinking in the War of Independence, changed much since then?

Q29. Is the amount of arms which the IRA possesses a factor?

Q30. Do you consider that there are any international experiences of decommissioning relevant to the situation in Ireland?

Q31. Could you perhaps draw a few of these lessons for us in connection with the work of this Body?

Q32. How important was the question of intentions in other conflict settlement?

Q33. But the ANC did abandon the armed struggle before the negotiations started, even if there was no surrender of arms.

QUESTIONS ALSO REFERRED TO D/JUSTICE

Q34. How would decommissioning be achieved?

Q35. Will there be an amnesty for those handing over weapons? Would there be forensic tests to establish how these arms had been used?

Q36. Are you satisfied that the IRA leadership can deliver on decommissioning! Would there be rogue elements who refuse to hand over their arms?

Q37. Is the IRA still active?

Q38. What is the Irish Government doing to counter the IRA and to seize its weapons?

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Questions and Answers

Prospects for Decommissioning

Q1: What does “decommissioning” mean? How is it different from “disarmament”?

A. Essentially they are one and the same. “Decommissioning” is a tactful term which neither Government have sought to define precisely. The term is intended to create the potential for exploring the question of how arms held by paramilitary groups could be put beyond use without any implication or connotation of surrender.

Q2: Why is some gesture on decommissioning not possible in advance of all-party talks?

A. The Irish Government wishes to see all arms removed from the political equation for once and for all. We wish this to happen as soon as possible.

Our clear analysis of the situation is that regrettably a gesture on decommissioning is not attainable in advance of substantive all-party talks. The paramilitary organisations who possess the arms are unwilling to decommission as a pre-condition for entry to political negotiations. To insist that they do so could jeopardise the essential goal of sustaining and consolidating the ceasefires.

There are historical and psychological factors involved. There is no historical precedent in the tradition and practice in this area in Ireland in the past. We also understand that the “Washington Three” requirement is regarded by those who hold the arms a tantamount to total surrender while they remain militarily undefeated and there has been no worthwhile political progress in their eyes.

The problem about a gesture is that what would make it a desirable symbol for the British

Government would make it an unacceptable one for the IRA.

Q3: What is the Irish Government's attitude to the British approach on decommissioning?

- A. Our governments agreed entirely on the desirability of decommissioning. Both the Irish and British Governments are firmly committed to securing the earliest possible decommissioning of all arms and material held by organisations who formerly resorted to violence in pursuit of political ends.

Our difference arises therefore not from an issue of principle, but from a different practical analysis of the conditions under which the paramilitaries will be capable of delivering decommissioning. Voluntary decommissioning requires the paramilitary leadership to persuade their followers to make this decisive move. Our clear analysis is that conditions do not now exist for decommissioning to commence. Our concern is that insistence on this point could imperil the peace process by destabilising the leadership of those who sustain the ceasefire. We have said that disarmament, though not a pre-condition for entry into dialogue, would be a reasonable pre-condition for the achievement of an overall political settlement.

Q4: Does the Irish Government support the Sinn Féin/IRA position on decommissioning?

- A. No. We do not support their position. Rather we reluctantly accept that the IRA is not in a position to offer a physical decommissioning of arms as a pre-condition to all party talks. We have tried very hard to persuade them otherwise.

Q5: Does the Irish Government accept an equivalence between legal and illegal arms?

- A. As a sovereign Government we reject any equivalence between weapons held by the

security forces and those held by paramilitary organisations. We have made this position clear on many occasions.

Notwithstanding this both Governments naturally accept that diminished threat has consequences for their security arrangements. As we have said in our submission, progress on decommissioning could be enhanced by further elaboration of a range of the responsive measures referred to in paragraph 9 of the Joint Communique of 28 November, 1995.

Q6: Will one set of paramilitaries decommission before the other?

- A. Regrettably, each community retains genuine and deep-seated fears of attack from the other, which means there would be community pressures against unilateral disarmament within the two communities, both as regards Belfast and some isolated rural areas.

While token actions might be made unilaterally in the right circumstances, almost certainly significant decommissioning will have to take place in tandem or in parallel between both sets of paramilitaries.

Q7: What would satisfy the Unionists in terms of the Sinn Féin/IRA position on decommissioning?

- A. The stated position of the main Unionist parties is that the IRA must start to decommission weapons before they will enter into dialogue with them. There have, however, been some more constructive statements from Unionist spokes people indicating their preparedness to consider "alternative means" of establishing a commitment to exclusively peaceful means.

We hope that the intensive preparatory talks with the various parties in the political track of the 'twin track' process will enable us to get a clearer picture of the Unionists position. It would in fact be helpful to have a precise and realistic statement of what would bring

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It would in fact be helpful to have a precise and realistic statement of what would bring

them into negotiations, so as to allay some nationalist suspicions that the arms debate simply masks a fundamental unionist refusal to negotiate.

Q8: If having heard the various parties, the Body comes to a tentative conclusion how does it test this?

A. While it is, not for us to pre-judge the outcome of the deliberations of the Body it is understood and accepted that neither Government, nor any other party cooperating with the work of the Body is bound in advance to accept its recommendations.

The two Governments are committed to carefully considering any recommendations it makes and will give them due weight on their merits.

The twin-track approach was developed to seek to ensure that the momentum of the peace process would not be lost. Clearly that same desire will be a major consideration in how the Government deals with the conclusions of the Body, however tentative their nature. We stand ready to assist the Body in the independent discharge of its mandate in any further way that we can after today's meeting.

We do not rule out the possibility of asking the Body to discharge other tasks, by agreement, at later stages.

Q9: What does the Irish Government consider the central conclusion of the Body should be?

A. As set out in the Joint Communiqué issued on 28 November by the Taoiseach and the Prime Minister, the two Governments in particular, have asked the Body to provide an independent assessment of the decommissioning issue.

The central issue is trust, and we would hope the Body could take a broad view of all the

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various ways that trust can be created.

As we have said in our submission we believe that the most valuable role which the International Body could fulfil would be to identify a basis on which the decommissioning issue could be progressed in a way that would enable all parties to progress simultaneously towards and through all-party political negotiations.

We have also presented a number of principles which parties could be asked to subscribe to as a basis for encouraging other parties to enter and progress through political negotiations leading to a settlement.

Q10. In December 1993/June 1994 you said Tánaiste that the IRA should decommission all its arms before all-party talks. Have you changed your position?

A. I am pleased to have an opportunity to clarify this matter as certain parties have sought to use my remarks at that time to misrepresent the Government position.

The comments to which you refer were made prior to the paramilitary ceasefires and related to a context in which the IRA's response to the two Governments' Joint Declaration of December 1993 might have been limited to a temporary cessation of violence. In the event the IRA in its ceasefire statement announced a permanent cessation of violence so entirely different considerations applied in that context.

I should also add that in my comments on the need for decommissioning, which of course is still our clear goal, I did not refer to the timing of the process, nor did I say that this should be a precondition for admission to all party talks.

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Q11. Does para. 10 of the Downing Street Declaration call for decommissioning in advance of all-party talks?

A. No. There is no reference implicit or otherwise to actual decommissioning or to its timing.

It may be helpful to quote the text of the relevant paragraph

“The British and Irish Governments reiterate that the achievement of peace must involve a permanent end to the use of, or support for, paramilitary violence. They confirm that, in these circumstances, democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process, are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead”.

In relation to the participation of Sinn Féin in all-party negotiations, it is the clear understanding of the Irish Government that Sinn Féin has committed itself to exclusively peaceful and democratic methods and that it should be admitted to such negotiations. The then Government saw decommissioning as one of a number of important “downstream” issues which we hoped could be addressed within the dynamic of negotiations.

Sinn Fein/IRA

Q12: What is the relationship between Sinn Féin and the IRA?

A: Sinn Fein is a political party, which, to simplify a complex relationship, might be considered the political wing of the IRA. The IRA is a paramilitary organisation which, as you will know, is proscribed by law whereas Sinn Fein is a legal political party with elected representatives North and South. In the North Sinn Fein has the support of about one third of the nationalist population which equates with some 10 to 12% of total

electoral support. Sinn Féin's elected mandate in this jurisdiction is much lower, with less than 2% support.

Sinn Féin and the IRA are formally separate, but there would be a complex interaction through, for example, certain key individuals being active in both. The working assumption of both Governments is that there is a broad coherence between both movements, but expressed in decision-making processes which are procedurally distinct.

Q13: What is the Irish Government's relationship with Sinn Féin and the IRA?

A: As a proscribed organisation the Government maintains no contact or dialogue with the IRA.

As regards Sinn Féin this Government and its predecessor accept that Sinn Féin has joined with us in an exclusive commitment to peaceful and democratic methods. This commitment on the part of Sinn Féin has been reaffirmed on many occasions, including in joint statements issued with the Government. We seek to encourage and consolidate this trend in every way, including through frequent dialogue and contact, both with Government and in the Forum for Peace and Reconciliation.

Q14: Does Sinn Féin speak for the IRA?

A: The IRA ceasefire was brokered following an analysis of the situation presented to them by Sinn Féin which the IRA accepted.

We have at all times asked that Sinn Fein use its influence to sustain the commitment to conclusively peaceful means and to consolidate the peace.

We expect that Sinn Fein will speak authoritatively to the Body on the position of IRA weapons and on the issue of how the gun can be taken out of Irish politics.

Q15: Is the funding of the IRA an issue in the context of decommissioning?

- A. The Irish Government have for many years called on people not to support financially or otherwise the activities of the IRA. This effort was particularly concentrated in the United States where Irish Northern Aid had been quite active in the 1980s and is considered to have been successful in countering their activities.

Clearly the funding of paramilitary organizations affects their ability to operate. We understand that in recent years most of the funds in question have gone to pay IRA members. However, we have no reason to believe that there is any further action which could be taken on funding by the Irish or British Governments which would be a practical alternative to voluntary decommissioning. I would emphasise also that many of the IRA's most lethal weapons are improvised from a wide range of commonly available material.

Confidence Issues**Q16: Have you raised so-called punishment beatings, targeting of individuals, expulsion orders etc. directly with Sinn Féin and loyalist parties?**

- A. Yes. The Government have repeatedly called for an end to such practices and for Sinn Féin and the loyalist parties to use whatever influence they can to bring an end to this activity.

Not alone are the practices brutal and barbaric, but they are also extremely damaging to the prospects for progress on the political front. They are a very real barrier to the development of the necessary trust and confidence within the communities in Northern Ireland which is so necessary for the launch of and successful conclusion of substantive negotiations. Sinn Féin say that they do not support such activities but we are pressing them to exert themselves more proactively to have them stopped.

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Q17: What is your attitude to the British Army's continued presence in Northern Ireland and its arms?

A. Through the framework of the Anglo-Irish Intergovernmental Conference we have stressed our view that the need for all security measures should be constantly under review in the light of the reduced security threat arising from the maintenance of the ceasefires.

We believe that the overall British Army presence should continue to be reduced in response to the ceasefires.

Q18: Do you agree that the RUC should be disarmed?

A. It is an inescapable fact that the RUC does not command the confidence of a significant section of the nationalist community and that more than nine-tenths of its membership are drawn from the other tradition. The goal of normal, civilian policing, enjoying support and representative membership from both communities and reflecting equally the ethos of each, is a key issue which must be addressed.

It is indeed the shared understanding of both Governments in the "New Framework for Agreement" that issues of law and order are closely intertwined with the issues of political concerns.

Q19: Have you a position on the question of licenced weapons in Northern Ireland?

We are aware that concern exists at the very high level of licenced firearms in Northern Ireland, which we understand is over 130,000. While many of these weapons are held for sporting purposes, a significant number are self-protection weapons reflecting the pre-cessfire violence, and are preponderantly in unionist hands.

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We understand that the British authorities are planning a review of the firearms policy. We trust that this will take place without delay and will address the continued need for such firearms in the post-ceasefire situation and the potential threat to confidence and trust posed by their existence. Dr. Paisley once led a paramilitary demonstration brandishing firearms certificates in lieu of the actual guns. Recent remarks by the him that legally held weapons would be used to resist a United Ireland underline the relevance of this issue for nationalist perceptions.

Q20. Should the emergency legislation currently in force in Northern Ireland be addressed in the context of the decommissioning question?

- A. Yes. Emergency legislation in one shape or another has been a feature of the legal framework of Northern Ireland since the 1920s. The heavy-handed application of the emergency powers predominantly against the nationalist community has certainly assisted IRA recruitment in the past and contributed to the culture of conflict and violence.

Political Track

Q21. Do you think there are undertakings of a political nature which the Body might suggest to the parties as a means of facilitating progress to political negotiations?

- A. Yes. We have set out a number of possibilities in our submission. While it would be self-evidently counter-productive for these to be presented as new pre-conditions, nevertheless they would, taken together, play an important role in building confidence if the parties felt able to subscribe to them. In summary the principles involved are
- recognition of the value of the sustained observance of the ceasefires
 - a commitment to exclusively peaceful and democratic means
 - a commitment collectively in negotiations to dismiss any attempt to use force or the threat of force to influence those negotiations
 - confirmation that the decommissioning of arms is required for a lasting peace and a secure political accommodation
 - acceptance of the need to abide by the terms of any outcome to political

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negotiations to which a majority of people in the North and South give their assent, and that such an outcome may be altered only by peaceful and democratic means.

Subscription to such principles could feed into the work of the preparatory talks inasmuch as they "may also extend to all steps required to establish the necessary circumstances to bring the parties together at the negotiating table in accordance with paragraph 10 of the Downing Street Declaration."

Q22. What is the relationship between the preparatory talks and the work of the Body?

- A. While the two tracks are distinct, they are envisaged as proceeding in parallel and there is a dynamic relationship between them. It is important for the credibility of the twin-track process as a whole that both operate successfully. Both Governments expect that progress in one will facilitate progress in the other. Our view is that with co-operation from all of the relevant parties in both tracks the objective of launching all-party negotiations by the end of February should prove attainable.

Q23. What is your assessment of the progress of the preparatory talks so far?

- A. I believe that we have made a useful beginning to our work. The initial reluctance of the unionist parties to meet the Irish Government was largely predictable but we hope that contacts will get under way in the New Year. It will, obviously, be necessary for the Governments and the parties to work intensively together if we are to meet our deadline.

Q24. What is the view of the Irish Government on an elected body?

- A. It is indicated in the Communiqué that parties can advance any issue in preparatory talks, including whether and how an elected body could play a part in the context of the interlocking three-stranded process. We are open to discussion of the matter in the

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appropriate context. However, we are also aware of the strong opposition of the Northern nationalist parties to any form of elected body. Those who wish to see such a body will have to convince others of its merits in the preparatory talks and in all part negotiations. At present it is a polarised issue, with pro-union parties in favour and nationalist parties against.

Historical situation and International Comparisons

Q25. Has de-commissioning taken place before in Ireland?

- A. There has been on a number of occasions a form of very limited arms amnesty as pointed out in Chapter 2 of the Government's submission. It would not be true to say that de-commissioning has taken place, at least in any significant way, in Ireland, either in the North or the South.

Claims have been made that the arms of the Ulster Volunteers (set up to defeat Home Rule in 1913) were de-commissioned, but some historians dispute this pointing out that the arms were simply re-cycled for use by Ulster regiments in World War I and subsequently in Northern Ireland when an armed police force was established there in the 1920's, which absorbed many members of the Ulster Volunteers.

Q26. But there have been cessations of violence before in Ireland:- at the end of the War of Independence (1921); at the end of the Civil War (1923); at the end of the IRA Campaign in 1962. What happened on these occasions?

- A. There was simply a suspension of armed activities on the part of the IRA. On the first occasion at the end of the War of Independence in July 1921, a Truce was negotiated between the British military authorities in Ireland and Sinn Féin. The British Prime Minister (Lloyd George) was very anxious to obtain an agreement of some kind on arms as part of the Truce arrangements; if not a surrender of arms, at least a ban on re-supply of stocks. He went public on this and tried to make it a pre-condition of the talks which eventually led to the Anglo-Irish settlement in December 1921. He failed completely in

this objective, described by one historian as "an unadvisable project". There was no surrender of arms by the IRA at the end of the War of Independence and this very significantly affected attitudes towards the question of arms whenever this question arose subsequently.

Q27. In what way did it affect attitudes?

- A. It affected how the question of an arms surrender or amnesty would be handled by the IRA in subsequent cessations of violence. The order at the end of the Civil War in 1923 was to "dump arms", which was clearly understood to mean conceal and retain for possible future use. Similarly at the end of the IRA campaign in 1962, there was a clear acknowledgement that the campaign had failed but no suggestion that the armed struggle was thereby invalidated in any way. Again the order was to "dump arms" and "withdraw" its activists from the border areas. Official attempts to take arms out of the situation completely by way of an amnesty met with only relatively few weapons, as outlined in the submission.

Q28. Have these attitudes, which you say became part of IRA thinking in the War of Independence, changed much since then?

- A. The lack of overt popular support for armed struggle is rarely a reason for abandoning it according to those who espouse this method. In certain circumstances, it tends to reinforce the view that armed struggle is a kind of sacred obligation, subscribed to only by a dedicated few.

Certainly attitudes have changed in the Republican Movement and in the Government's view, these changes are what makes the present cessation of violence so potentially significant in terms of getting to the roots of the problem of arms and armed activities in Ireland. A doctrinal shift, for such movements, can be more significant than decisions on weaponry. That is why we stress repeatedly in our submission the need to look at the wider political context.

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