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Mr. Hillin
S.H. 15.5.95.

Donaireach

(27) DRAFT

Confidential

*To see please
Mr.*



*cc PBT
PSS of H. Dalton
S. Dalton
P. T. O'Connell
✓ F. Murray
T. Dalton
Counselor
A1*

Anglo-Irish Conference (28 April 1995)

Discussion of Political Matters

This discussion took place in restricted session.

The following were present on either side:

Tanaiste, Minister for Justice, T. Dalton, S. O hUiginn, F. Finlay, D. O'Donovan and the undersigned;

Secretary of State, Michael Ancram, Sir John Wheeler, D. Fell, Q. Thomas, Ambassador Sutherland, M. Williams, J. Stephens.

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1. The Tanaiste expressed satisfaction at the resolution of the impasse in relation to the British Government's dialogue with Sinn Fein. At times this had come close to becoming a very serious problem. No doubt lessons would be learned from the episode. The Irish Government was glad to have been able to lend some discreet assistance. We were willing to play such a role wherever possible.

Both the timing and substance of the meeting now arranged between Michael Ancram and Sinn Fein would be very important. From a number of recent contacts with Sinn Fein, the Tanaiste had concerns about how progress might now be made. If there was a clear movement to bilaterals with the other parties at the same time as they were talking to Michael Ancram, Sinn Fein might well judge that a twin-track approach was in play. Such a perception on Sinn Fein's part would run the risk of losing the latter altogether.

2. The Secretary of State said that the debate with Sinn Fein had been conducted in the context of a position common to both Governments and all the other parties, viz., that it would not be possible to have people sitting at a table to discuss political progress if they had been closely associated in the past with others who had used violence and were not willing to make any move towards giving up arms. The Taoiseach had spelled this

out in the Dail on 25 April in terms which had expressed the British Government's position as well.

The British Government had needed to ensure that it would not fall into this trap. "Exploratory" dialogue with Sinn Fein had, accordingly, been agreed. Sinn Fein had sought Ministerial involvement. The British response had been to agree provided Sinn Fein were ready to become constructively engaged.

3. The Secretary of State recognized that, in adopting the position it had taken, the British Government might have come dangerously close to losing public opinion (which could have seen the conditions imposed on Sinn Fein as amounting to "dancing on the head of a pin"). However, if he had backed off these necessary conditions, he would have lost the support of every Conservative MP. He hoped that the Government had understood Sinn Fein's position correctly; they would find out when Michael Ancram met Sinn Fein.

Recognizing the importance of the Tanaiste's point about fears of a twin-track approach, he emphasized that there was no basis for these fears. There was a single-track approach only, though some were further down that track than others because they had not had any association in the past with people who had used violence. He wanted to see Sinn Fein involved in the substantive talks process which we all wished to see resume.

4. The Secretary of State went on to read out key sections of a letter just sent to Sinn Fein in which the British Government had made clear that there would be a single-track approach and not a twin-track one. He had no difficulty in rebutting the latter claim.

He agreed with the Tanaiste that much would turn on Michael Ancram's meeting with Sinn Fein.

5. The Tanaiste said it would be down to Michael Ancram's skills to keep Sinn Fein engaged. If the discussions were strictly about one issue, they would go nowhere. The positions of the two Governments had not changed. But, if we boxed in Sinn Fein completely, there would be major problems. Finding our way through this would require the best skills and efforts of both Governments.
6. Minister Ancram said that the British Government had offered Sinn Fein dates for a meeting next week but had had no response as yet. They had made clear that there would not be a single-issue agenda. However, an exploratory process was required. It would not be possible to move to the forward part of the track without some movement on Sinn Fein's part. The modalities of

decommissioning would have to be explored. As he had established in his recent contacts with the Loyalists, the latter attached importance to the question of verification. The question of how to create a credible form of decommissioning had to be considered.

He would intend to try to broaden the discussions with Sinn Fein as he had already done in the case of the Loyalists. It was not productive to devote hours of discussion to a single issue; an issue could be discussed, set aside and returned to at a later stage. This had happened with the Loyalists.

The British Government could not, however, move to a full negotiating position with Sinn Fein in terms of political dialogue until (i) they had seen a commitment to decommissioning clearly stated; (ii) there was agreement on how this might be done; and (iii) something had happened to show that Sinn Fein were serious about decommissioning. As the Secretary of State had said, others would simply not come to round-table talks unless something had happened.

7. The Secretary of State asked what the Irish Government could do to use its influence with Sinn Fein with a view to having this requirement met.

The Tanaiste replied that, while we were already seeking to use our influence with Sinn Fein with a view to the latter influencing others on the decommissioning issue, he did not see Sinn Fein being in any way in a position as of now to discuss modalities, verification etc. with the British Government. They still had a very long way to go. They were talking to us about the need to establish a "psychology of peace" among their people.

Obviously, we raised the decommissioning issue with Sinn Fein at all our meetings with them. Unfortunately, however, decommissioning had been allowed to become the issue. It would never be resolved as a single issue. It was much more likely to be resolved as we made progress down the track. The forthcoming meeting with Michael Ancram was very unlikely to produce any change in this respect.

8. The Secretary of State said that he could not move away from the position he had taken so far. Not just Conservative MPs but every Unionist felt that the picture in recent months had been one of concession after concession to Sinn Fein. Credibility would go out the window "unless they yield up the Semtex". The Taoiseach had said that it was very important that everyone should approach talks on the same basis. It was essential, therefore, that arms be taken out of

commission.

This was not a single issue for the British Government. Sinn Fein knew, however, that, unless they made a start on it, they could not move on to the next stage.

Again recalling the Taoiseach's recent remarks, he urged the Tanaiste to impress these considerations on Sinn Fein.

9. The Minister for Justice said that the message we were getting was that, with the welcome stage having been reached of the door being opened to exploratory talks, there should be equality of treatment in terms of how progress was to be made from here. The view being taken was: "You've got us through one door - but we can't get to the next one". Decommissioning was now on the agenda, but it must be clear that this could not be used as a hurdle. Equality of treatment was essential.

Minister Ancram agreed. It had been agreed with Sinn Fein that each side could raise whatever it wanted. He would be happy, for example, to give a detailed explanation of the Framework Document. But it was essential in the interest of building trust to make progress on the decommissioning issue. They would have to begin to make that progress.

10. O hUiginn said that the two Governments were agreed on the objectives. However, the British Government were telescoping the process and laying heavy emphasis on the end result. He was not sure that this could be achieved in a linear way; rather, a stage-by-stage approach would be required. The Irish side had spent a lot of time telling Sinn Fein that they must go through an exploratory phase.

Was this matter to be handled in a way which would heighten Sinn Fein concerns about their mandate, or in a constructive way which would blur the distinction between "exploratory" and "substantive" dialogue? If e.g. a distinction was to be maintained between the respective involvements of Minister Ancram and the Secretary of State, this could fuel Sinn Fein anxieties.

There was a difference between the two Governments on this issue. It was encapsulated in the Forum for Peace and Reconciliation, in which Sinn Fein were participating by virtue of their mandate. The British approach would put a fault-line down through the Irish political system. If they pushed this approach far enough, they would force the Irish Government to come down on one side of the argument, i.e., to declare that Sinn Fein were entitled to take part in dialogue (as in the Forum) by virtue of

their mandate.

It was important that the British side should recognize realities - how the situation is rather than how they would like it to be.

11. The Secretary of State drew a distinction between the Forum, whose purpose was that of general discussion, and the talks process, which had the ability to change political structures.

He reiterated that the British Government could not move from the position it had taken. The gradualist approach suggested by the Tanaiste could feed Unionist/Conservative anxieties that Sinn Fein would achieve parity of esteem and treatment in a negotiating mode without having done anything to divest themselves in terms of their association with others who had used violence in the past.

12. Dalton said that intelligence available to the Garda Siochana suggested that the constant pressure to hand over arms was imposing enormous strain on the Republican movement. The possible destabilising effects of sustained pressure of this kind should be borne in mind.

The Secretary of State took note of this point.

13. Thomas remarked that Sinn Fein obviously wished to defer decommissioning to the stage of a political settlement. The British view was that the latter stage would not be reached unless something was done on arms. A point which could be made to Sinn Fein was that the British side would not be starting with a blank page in terms of political talks. The Joint Declaration and the Frameworks were already there as indicators of the British Government's position. While the British side could make this point, it would have a more powerful impact if it came from the Irish side.

14. The Tanaiste felt that the two Governments were not very far apart in terms of basic analysis. However, Dalton's point was very valid. In media terms, particularly, ongoing pressure could be expected on the decommissioning issue. Sinn Fein had to keep selling a message to their supporters which many of the latter did not wish to hear.

The two Governments should liaise closely on this issue over the coming weeks.

14. The Secretary of State said that, during the recent exchanges with Sinn Fein, the British side's conclusion had been that Sinn Fein probably did not want to put

themselves in a position in which they were seen to be accepting terms dictated by the British Government. (As against this, he noted that Gerry Adams had recently indicated in the Guardian a readiness to accept everything, "even on the British Government's terms" - or words to that effect).

The British approach had therefore been to ask Sinn Fein to confirm that the British Government's interpretation of their position was correct.

He asked the Tanaiste to emphasize to Sinn Fein that the British Government would not move unless Sinn Fein moved (as indicated); and that, if the latter refused to discuss decommissioning, the process would come to an end and the correspondence would be published (which would be "a disaster").

Asked by the Tanaiste if decommissioning would be taken as the first item, he said that it would have to be discussed "at the top of the agenda". Asked by the Minister for Justice about the depth of the discussion, he said that Sinn Fein must show a commitment to the principle of decommissioning and must engage in a serious discussion of ways in which this could be achieved.

15. Minister Ancram said that he had been through this in his talks with the Loyalists. Decommissioning was the first item. Both sides discussed all its elements and then agreed to "park" it and to return to it at a later meeting. That had provided some flexibility.

The Tanaiste reiterated his worry that Sinn Fein would not engage in a serious discussion at this stage about modalities, verification etc. The Minister for Justice endorsed this, adding that there was a risk of the talks breaking up if the British were to push their approach to the extent indicated. Talks which were described as "exploratory" should not be prescriptive.

16. The Secretary of State read out what the British Government had said to Sinn Fein on the decommissioning issue in a letter of 13 April. Their presentation of matters had not been challenged by Sinn Fein in the interim.

Thomas said that Sinn Fein had committed themselves to "serious and constructive discussion with a view to resolution"; it would be difficult to do this if they were unwilling to discuss modalities.

The Tanaiste suggested that Sinn Fein might be willing to participate in a purely theoretical discussion of what

could be done (e.g., with international assistance). However, he did not think that they would be willing to discuss modalities, verification etc at this stage. Furthermore, if the talks broke down and the correspondence was published, the public were unlikely to be very interested. The consequences of a breakdown would be of greater importance.

17. Dalton said that, if the British side chose to focus on the "ten percent" of the process represented by the decommissioning aspect (as opposed to the "ninety percent" represented by the ending of violence in the first place), they could place the "ninety percent" in jeopardy. It was better to keep Sinn Fein in talks indefinitely than to create a situation in which talks could be broken off prematurely.

The Secretary of State said that the British side were willing to talk for as long as was necessary. Minister Ancram reiterated that Sinn Fein had not challenged the understanding of the position which the British side had set out.

18. O hUiginn urged the British side to signal at an early stage in the Ministerial meeting with Sinn Fein their willingness to range across the entire agenda. A preoccupation with taking decommissioning first could be interpreted by Sinn Fein as meaning that the British were trying to impose preconditions. Sinn Fein believed that the British side were aware that they could not deliver on decommissioning and were therefore playing a tactical game in pushing them in that direction. Sinn Fein genuinely needed a lot of reassurance.

It was important, therefore, not to try to telescope the process but to focus on the immediate step required and to use the exploratory process in a creative manner, both internally and externally.

19. Fell asked the Tanaiste whether, if the British side acted as O hUiginn had suggested, Sinn Fein would be content to stay in "exploratory" mode for a reasonable period.

The Tanaiste suggested that they would be, depending on where the other parties were; if others appeared to be moving off on a faster track, there would be problems of perception. The Minister for Justice warned against any impression being allowed to develop that the Loyalists were way ahead of Sinn Fein in terms of an accommodation with the British Government.

20. Turning to the round of bilaterals envisaged with the parties, the Secretary of State said that he saw value in

the bilaterals to which the Taoiseach proposed to issue invitations. (He had told the Taoiseach at the Islandbridge ceremony that British Ministers had been a little surprised by this development; he acknowledged, however, that the Taoiseach had mentioned it at the CBI dinner). Sinn Fein claims of a twin-track approach should be countered with the offer that anybody could join this process provided they qualified themselves for it.

While no dates had been fixed as yet, he expected to begin the British Government's round of bilaterals with the Unionists early in May. He would make clear to them that there would be no resiling from the Framework Document but that, if they wished to focus on issues, that would be permissible. If they wished to put questions to him, that would also be alright. His purpose would be to encourage "islands of firm ground" to emerge; he would then talk to the Tanaiste and see whether anything solid could be achieved.

21. Minister Ancram noted that three levels of dialogue would be in play: (i) that between Sinn Fein and the British Government; (ii) the bilaterals announced by the Irish and British Governments respectively; and (iii) the bilaterals among the NI parties themselves ("perhaps the most important").
22. The Tanaiste observed that John Hume might be wary of a bilaterals process which might allow Sinn Fein to "slip off the edge". The Secretary of State recognized this but was encouraged by the evidence that the SDLP and the UUP were talking to each other on social and economic issues. This was happening because of the Framework Document.
23. O hUiginn asked whether the British Government had considered lifting their ban on Ministerial contact with Sinn Fein (on constituency issues etc). The Secretary of State replied that no decision had been taken as yet but that entry by British Ministers into exploratory talks with Sinn Fein would give them a possibility to do so.
24. Ministers agreed to pursue the political discussion over lunch.

DA

David Donoghue
2 May 1995