



An Chartlann Náisiúnta National Archives

Reference Code: 2021/97/36

Creator(s): Department of the Taoiseach

Accession Conditions: Open

Copyright: National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

8/9/95

(27)

Paddy Teahon/Seán Donlon

I enclose a paper I would like to discuss today with yourselves and Dermot Gleeson with a view to giving it to the Tánaiste and the Minister for Social Welfare. If they agree it could be sent to the British as some sort of non-paper to see if they can buy the concepts.

Taoiseach

A Proposal to Break the Deadlock

The level of all-round distrust is now such that the issues at stake cannot be solved by fudges or abstract statements. Only detailed procedures will give people the confidence needed to go ahead.

Once you set a fixed date for open ended all party talks and drop the precondition of a gesture, Sinn Féin are participating in talks, with IRA arms backing their position, indefinitely. That being the case, they will inevitably decommission no arms until everyone else has agreed to their demands. That is a presentationally and practically untenable position.

The same objection, of course, does not apply to Sinn Féin talks with Governments, because Governments have guns too and there is some equality between them and Sinn Féin in terms of coercive power. Ordinary political parties have no coercive power.

I think that we must stick to the idea of a target date for all-party round table talks. But we must use the interim period to get all round agreement to a work programme for the talks once they start. The Summit Communiqué must give a clear indication of the sort of work programme the two Governments have in mind, but leave some of the detail open for discussion and alteration.

The solution to the decommissioning dilemma may be to break the all-party talks down into segments. For illustrative purposes, the first segment could be one where a statement of principle on decommissioning would be sufficient. The second segment could be one where agreement on modalities would suffice. The third one where agreement on a schedule of decommissioning would first have to be agreed. The fourth could be one where the first step of actual decommissioning would have to take place. The fifth would be the second step of actual decommissioning would occur. The final step of decommissioning, as a minimum, would have to take place before the referendum but after a draft agreement to be put in referendum had been agreed.

It seems to me that the best course now would be for the Government to agree to an extension of the mandate of the international Commission to give the Commission as a whole the task of working out the appropriate decommissioning segments.

The Chairman of the Commission, as distinct from the other members, would then have the responsibility of working with the two Governments, and parties to work out appropriate building blocks of agreement which would fit in with each of the segments.

Again for illustrative purposes, the first block of agreement could be on non-policing parity of esteem issues. The second block could be on local policing issues/punishment beatings. The third block could include local Government structures and cross border issues. The fourth block could include wider constitutional questions.

The underlying principle of the talks process would be that nothing would be agreed until everything is agreed, but there would be provision for the two

Governments to propose, and for the parties to agree, that individual agreements reached in some of the earlier talks blocks might be implemented on an interim basis pending the final agreement. These interim steps would be designed as confidence building measures which would be counterparts to the individual steps taken on decommissioning.

The merit of this proposal is that it

- (1) removes the precondition of a gesture for all-party talks
- (2) prevents the arms being used as a threat to get agreement of fundamentals
- (3) allows for confidence building measures to be implemented to prevent popular frustration building up that "the politicians are talking forever but nothing is happening".

- (4) is precise enough, or is capable of being made precise enough, to remove this fear of being "trapped" on the part of either Sinn Féin or the Unionists.

I believe that the objective should be to reach agreement on a proposal of this nature with the British without reference back. The nature of the private language used by Sinn Féin is such that they have left themselves no room to negotiate with us, and therefore we cannot negotiate with them. We must proceed ourselves.