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Report of meeting between the Taoiseach and the Secretary of State for Northern Ireland, Sir Patrick Mayhew on Friday, 25 October, 1996 at the Taoiseach's home at Dunboyne, Co Meath

1. Sir Patrick was in Dublin to speak to the Association of European Journalists and to participate in a debate at UCD. By prior arrangement, he paid a courtesy call on the Taoiseach at his residence at Dunboyne, Co Meath, at 3.15pm on Friday, 25 October, 1996. The Secretary of State was accompanied by the British Ambassador, Ms Veronica Sutherland. The undersigned and the Attorney General, Mr Dermot Gleeson S.C., were with the Taoiseach.

2. After some initial pleasantries, the Taoiseach said that he wished to talk about two aspects of the possibility of an IRA restoration of their ceasefire - about the issue of a timeframe and about the issue of what would the IRA themselves say in any announcement of a restoration of their ceasefire. The Secretary of State noted that in the 28 February Communiqué the two Heads of Government had referred to unequivocal restoration of the August, 1994 ceasefire. There was an inherent fault in this in that that ceasefire had not held and thus its restoration did not go far enough. Both Governments have thus made clear in recent days that a bit more is needed this time.

on present information, the Republican movement would accept the

3. The Taoiseach commented that this brought one back to the issue on which, so far as he knew, little or no work had yet been done viz. what would the IRA say in any statement announcing a restoration. If they were to include certain kinds of things in their statement it would make it easier for the British Government not to be too demanding in regard to any decontamination period or time-lag after a ceasefire before Sinn Féin were permitted to enter the talks. We felt that ~~the~~ British idea of a time-lag of three months was too long, especially when considered by reference to the statement by David Trimble that from January 1997 on, little or no serious business would be done at the talks before the Westminster election. *A meeting could be taken*

They would consider this

place later with Sinn Féin at such a clear picture of their time intentions will emerge.

4. The Secretary of State said that the British Government wanted what the Irish Government wanted - Sinn Féin in the talks on the same terms as everybody else. Hence the call for an unequivocal restoration of the ceasefire. There were some indications that the IRA would use the word "unequivocal" or, perhaps, "unequivocally" in any announcement of a renewed ceasefire. Of course, the more unambiguous were the words used by the IRA, the better and the more credible might be the announcement, if there were to be one. But words, however good, cannot be enough. As he saw it the two Governments had a common position on this matter, having regard to recent public statements on this matter by the Taoiseach himself and by the Tánaiste. The Taoiseach recalled that following the Canary Wharf bombing, he had referred to the need for any restored IRA ceasefire to be one that would hold in all circumstances but that it was for the Republican movement to find the words that would convince others concerned that this would in fact be the case. It was impossible to be precise about laying down in advance just how, exactly, they should do that. *Anything the Government said would be described as a*

precondition" by Sinn Féin, so that was a case for getting Sinn Féin and the IRA to agree their own words that would command attention that, this time, the ceasefire

5. The Secretary of State said that the British were not laying down a timeframe of three months as an absolute requirement in their formulation on the subject, they have put in the qualifier "unless there were some incontrovertible developments". They had in mind, in this regard, something like a General Army Convention of the IRA, meeting and issuing a statement saying that they had turned their back on violence for good. Without such a type of development, which appears unlikely, it was hard to see how a dependable judgement as to the credibility of a restored ceasefire could be formed in less than three months. There may be ways to reduce this period. But the difficulty was that they (the British) keep on unearthing preparations for violence on a major scale. The (British) Cabinet Committee on Northern Ireland had taken the view that Sinn Féin entry to talks could not be in a period less than three months, after the announcement of a ceasefire, unless there was some major positive development. The specification of three months was pre-emptive of people in the British system who, now, after Lisburn, say that Sinn Féin participation in the talks is not on at all. If the (British) Government were to allow Sinn Féin into talks very quickly after any restoration of an IRA ceasefire, people in their own party would accuse them of culpable gullibility: they had made a working assumption that the previous ceasefire would hold and they had been proven wrong.

6. The Taoiseach noted that the waiting period the last time was three months. In our view, in order to secure a new ceasefire, as seemed attainable, it should be less this time. He realised that at first sight, it might appear that this would be to concede more to Sinn Féin after a period in which they had engaged in renewed violence. However, as compared with the last time, they would now be facing a more immediate challenge. As soon as they came in, they would have to indicate support for the Mitchell Principles, so the challenge to them would now be tougher, at one level. The Secretary of State accepted that this was a new factor. *and more immediate*

7. The Taoiseach again emphasised that it was the Irish Government's assessment that a three-month period was too long and could lose the prospect of a restored ceasefire, especially by reference to the indications, per David Trimble's public comments that very little business could or would be done in the talks between January and the election for Westminster, even assuming that was as late as May, 1997. The Irish side did not have the answer to the dilemma. It would perhaps help if matters could be so presented that Sinn Féin could, from their perspective, draw some sustenance from a period.

8. The Secretary of State said that the authority they had from the Northern Ireland Cabinet Committee was to a period of "not less than three months" - that was the language used. Within the Cabinet and within the Government party, the feeling was strong that Sinn Féin/IRA cannot be trusted at all. He (Mayhew) and Prime Minister Major had tried to hold the door open. David Trimble had deliberately misinterpreted what the Prime Minister had said about Sinn Féin entry to the talks. The British Ministers most concerned are under great pressure within their party because they are seen as having moved a number of times, backing down on positions, which even if they had evoked no support from the Irish Government, had nevertheless, been taken by the British Government. At this point, the Attorney General quoted what Trimble

had said in his radio interview. Sir Patrick expressed the opinions that Mr Trimble would not be in any hurry to wind up the talks, because, under the legislation, that would also bring the Northern Ireland Forum, which was Mr Trimble's "baby" to an end. The two Governments should adopt a common position.

9. There are no indications, from the intelligence reaching the British Government, of any real prospect for a restoration of the IRA ceasefire. But John Hume was telling them, that it was there "for the taking". In fact, the British intelligence assessment was that the risk of IRA violence that same weekend, in Britain or Northern Ireland, or both, was very high. There was every sign that the IRA were gearing up for a resumption of their campaign of violence - there was evidence of this in Derry, West Belfast and elsewhere.
10. The Taoiseach then posed the question: where do we go now, as regards the words to be used in any formula aimed at providing a basis for peace. The Secretary of State said that both Governments need, by reference to the texts that had been under discussion between them, to prove themselves against accusations of being naive or wilfully gullible. The Secretary of State said that the Prime Minister would welcome an early chat with the Taoiseach, at which the latter could seek to persuade Mr Major of the points we wished to push.
11. The Attorney General asked whether the British, in drawing up a formula of language, had considered taking account of the break in the talks that would have to take place for Christmas and the New Year. The Secretary of State indicated that an important preoccupation of the British was to keep the Unionists in the talks process. The Taoiseach asked what would the Unionists accept. The Secretary of State answered that he did not honestly know. He (Sir Patrick) had met the Ulster Unionist MPs in the tea-room of the House of Commons after Mr Major's speech in the Queen's Speech debate. Mr Trimble had asked Sir Patrick whether the remarks of Mr Major were simply mood music or actually indicated a real hardening of the British Government's position on decommissioning. The Secretary of State said that he had responded that the British position is now harder. He had said that a period of time would be needed to form a dependable judgement. He had not mentioned the three months period. The Unionists wanted 6 months but this was not on. The reality, of course, was that the Ulster Unionists do not want Sinn Féin in the negotiations at all but they will conceal that this is their position and they will not say so openly. Mr Trimble will want to keep the Northern Ireland Forum going into, at least, February, so he will not bring the talks to a standstill before then.
12. The Taoiseach noted that if indeed there were to be a further IRA attack that weekend, it would affect the situation. The Attorney General noted that our advisers were saying that three months was too long but that the British were inclined to lay down a three month period and to consider a shorter period if some additional major development were to occur, such as the delivery of some arms. This, however, was most unlikely.
13. The Taoiseach, returning to the idea of what the IRA might say in any ceasefire announcement, noted that they could, for example, say that they will suspend all

preparations for military action. We could not exactly tell them what to say but we could point out to them that saying certain things would enhance the credibility of their announcement. They could also, perhaps, as the CLMC statement had done in October, 1994, express regret for the suffering caused by their past actions.

14. The Secretary of State asked what was the Taoiseach's assessment of Gerry Adams and Martin McGuinness. The Taoiseach responded that he did not have that much knowledge of either of them, other than what he received from security sources. From these, he had heard that the two of them were now more confident of their position than before last August. What he had said in the USA last month, that had been interpreted as expressing optimism, was based on that security assessment. He would tend to agree that signals coming from John Hume alone would be an insufficient basis for forming a judgement but those signals appeared to be corroborated by the security services assessments. Following the Lisburn bombing, the Tánaiste had also received, indirectly, a message from Republicans at local level in Kerry - where there were several quite important IRA leaders - to the effect that they had carried out the Lisburn attack to demonstrate that they had the capacity to do so. Garda briefings confirm what the British are saying - that there is a high level of preparedness on the part of the IRA, that they have been priming their organisation. Niall O'Dowd, when he had met the Taoiseach recently, had stressed the IRA emphasis on self-respect, which had been damaged by the several failures that had occurred; and on their need, by reference to this outlook, to enter the peace process again from a position of strength. The IRA saw themselves as the inheritors of a long tradition of military resistance and would wish to keep the instrument for that in place until satisfied that it would never again be needed.
15. The Secretary of State said that the British Government had to cover their flank against the charge of being culpably gullible. He did not suppose they would ever end Republican violence for ever - its roots were too deep. But they could work to deprive it of Nationalist support, so that it would be unable to claim any vestige of support. The Taoiseach responded that the problem was that they - the IRA - appeared to be determined not to split. The Attorney General commented that there will always be a rump. Sir Patrick said that he was not sure he would wish to see a split. He had said to Adams after the original ceasefire that he preferred to deal with a united Republican movement, did not want a split and would not be trying to bring one about. On a time-lag, they were constrained at both ends - it could not be so unrealistically long as to stop a ceasefire being declared and thus Sinn Féin entry into the talks. On the other hand, it could not be too short or the Unionists would walk out and people in the British Government's own party would be upset.
16. The Taoiseach suggested that it might be helpful to establish a calendar for the negotiations that would carry us past the election date. Such a calendar would be indicative, would set out a list of agenda items, say, perhaps, that each would be given a month, say, that "we'll try to manage matters to realise this calendar and to carry us up to August". Sinn Féin would then see that they were coming into something that was moving at a clear pace and that would not be upset by any electoral event. There could, perhaps, be a reference to an agreed timeframe in this sense in the agreed document, towards which the various parties involved were working at present (i.e

'the composite document'). The need was to get over the Sinn Féin concern about being walked into a ceasefire, for nothing worthwhile.

17. The Secretary of State said that the calendar idea may not be impracticable. Trimble is keen to move on speedily and he has noted that Strand I was largely agreed during the previous talks. Mr Kirwan recalled that at Oxford, Mr Trimble had talked about the need to manage a situation where the talks would not have been completed by the time of the British election.
18. The Taoiseach again said that he thought three months would be too long a time-lag. We must see how we can overcome it. We may end up with something different. The Attorney General asked whether the British consider it necessary to refer to specific types of behaviour or could they be prepared to settle for a non-specific reference. The Secretary of State said it might be possible to adopt a non-specific reference but, as they saw it, a period was needed in order to form a well-founded judgement. There would be a very great reluctance to go back to the Cabinet Sub-Committee, since it had adopted its position only last week. The Taoiseach would need to speak to the Prime Minister. Mr Major was taking a hard view at present, asking why he should believe anything from Gerry Adams.
19. The Taoiseach asked where would the period be stated? The Secretary of State responded that that would depend on the objective in view. If that was to cover a flank, the period could be kept private. If the assessment was that it was possible to swing a restoration of the ceasefire, they would go public and the period would then be referred to in the proposed article under consideration for publication.
20. At this point, the Secretary of State indicated that, with the authority of the Prime Minister, he had told David Trimble about the approach from John Hume. He had told him that if he saw a restatement of British policy, it would be in the context of this approach. He had been told that the British Government were not engaged in negotiations via John Hume, they were simply restating policy to meet what John Hume was saying. Policy previously made would not be changed. Mr Trimble had taken the information calmly.
21. The Taoiseach asked what would be the reaction, the sequence of events, following any declaration of a ceasefire. The Secretary of State said that it was necessary to publish the proposed article quickly. As he had indicated, they had information about high risks of attacks. Thus, it was necessary to get the article out very soon. The Taoiseach said that he was teasing out the various steps in the process. He wanted to mention again the point about what the IRA would say in their declaration: depending on this, one might not need three months. The Secretary of State said that if they were to say that they were stepping down their Active Service Units, that might make a difference - but again it was most unlikely that they would say that. As to the sequence of steps, once Sinn Féin confirmed to John Hume that a restoration of a ceasefire would follow on publication of the final form of the proposed article, it would then immediately be published, then they would watch what was happening on the ground.

22. There is a pencilled in appointment between John Hume and Prime Minister Major for the following Tuesday. It might take place on Monday. The Attorney General asked whether John Hume will have anything new. The Secretary of State made clear that the ball was in the British court and that at the forthcoming meeting with Hume, they would be presenting him with a revision of the draft article.
23. The Secretary of State referred to the need for a common position. The Taoiseach said that we would try to sort out things on our side over the weekend and that he would talk to the Prime Minister soon. The Secretary of State said that the Taoiseach should do so as soon as possible. On this whole issue, we needed to get the skids on. Ambassador Sutherland noted that the Secretary of State might want to talk to the Prime Minister before he took the call from the Taoiseach. The Secretary of State said that Mr Major was taking a firm position that he could not go back to the Cabinet Committee.
24. The Taoiseach noted that the two Governments were again in the position of doing Republicans' worrying for them." Again, the issue arose: what they would say. The Secretary of State again said that the likelihood of an incontrovertible fact was very low. He did not envisage any wording that might be used in an IRA declaration that would obviate the need for a period. He did not think we would see any such wording. So the issue for discussion with the Prime Minister is the period. Four weeks was "off the clock", so far as the British Government are concerned. He would think whether they could possible go for an event rather than a period, as the Attorney General had raised, but an event implied a period in any case. At this point Ambassador Sutherland wondered whether it might be possible to express the timing of Sinn Féin entry as coming at the resumption of the talks process after Christmas but the Secretary of State very quickly came in to say that would have to be a matter for the Taoiseach to argue for with the Prime Minister. There were, he agreed, two ways of defining it - a date or an event, such as the reconvening of talks.
25. The Attorney General referred to paragraph 31 of the report of the International Body about the need for those previously engaged in violence to be satisfied that a meaningful process of negotiations was indeed on offer. This would raise the issue of Sinn Féin contacts with Ministers, following a restoration of the ceasefire. The Secretary of State said that if there were no problems during the envisaged period, he would foresee no problem in British Ministers meeting Sinn Féin towards the end of the period. Their official channel had remained in place but it had only been used once, at the end of February. They had been on 'receive' but the other side had not been on 'send'.
26. Mr Kirwan enquired whether the British might reconsider the contemplated references to specific types of behaviour, which could leave little room for judgmental assessment and could be open to manipulation by dissidents. In response, the Secretary of State referred to the references in the terms of entry paragraph as being an "illustrative passage".
27. The Taoiseach again raised the possibility of shortening the period if another basis for assessing credibility could be identified. The Secretary of State again said that his

colleagues would not go for any lesser period, unless there were an incontrovertible fact.

28. The Taoiseach, referring to the risk of dissident action, and also to the need for redress against criminal elements, so as to cut out support for punishment beatings, raised the question of 'incident centres' as had operated during the ceasefire in the mid - 1970's. Whatever about centres at local level, which could have some disadvantages, would there be some point in a mechanism at the level of Northern Ireland to check compliance with a credible ceasefire, a mechanism in which Sinn Féin would participate. The Secretary of State said he saw no reason why there should not be such a mechanism. The Taoiseach said that he was thinking of some mechanism that could give rise to some more incontrovertible information. This would give Sinn Féin some way of avoiding a situation where everyone would be dumping on them.
29. The Taoiseach said that he had raised these various additional ideas because he wished to avoid a high noon situation as between himself and Prime Minister Major, with Mr Major in one corner, wearing red trunks and pressing for three months and the Taoiseach in the other corner in green trunks, pressing for two weeks. His own position did not mean that he did not respect the Prime Minister's view. He (the Taoiseach) is surprised at the tolerance of British public opinion in the face of the IRA bombings. The Secretary of State said that the Prime Minister will ask - what less than three months will work? The Taoiseach said he did not know the answer to this question. The Secretary of State said that short of real assurance that less than three months will do, the Prime Minister would say, that he'd have to promote 'safety first'. However, he (the Secretary of State) would want to consider the points the Taoiseach had raised about an indicative timeframe and about a Monitoring Committee. The Secretary of State said that a problem about the latter idea is that much of the information the intelligence services require comes through undisclosed sources. Nevertheless, they would reflect on these ideas.
30. The Taoiseach said that a point may come where we say to Sinn Féin: this is the best we can do and you have to make up your mind. There might be two stages: We'll tell them the position, we'll feed back anything they say to the British, then we'll say it to them again. The Secretary of State said yes, they owed John Hume a reply. We will leave it general as to the period i.e. not referring to a specific duration, if we can't agree, particularly if the two Governments do not agree. He was talking off the top of his head here.
31. The Attorney General asked: what about bringing forward the "swearing-in ceremony" ahead of the three months. The Secretary of State said that there was nothing to stop Sinn Féin making a declaration as soon after the ceasefire as they wished but the Unionists would not let them into the talks at that stage. Sinn Féin could and should be encouraged to make a commitment to the Mitchell principles as soon as possible.
32. The Taoiseach referred to the idea in the report of the International Body that there should be confidence-building measures in other areas. For example, in regard to the Irish language, the British Government could perhaps hold talks with Sinn Féin. The

Secretary of State referred to suggestions that they should do more for prisoners, in particular, that they should reward the Loyalist prisoners for maintaining their ceasefire. He personally found it difficult to contemplate rewarding people for not killing people.

33. The Taoiseach said that he would ask his people to identify quickly time slots when he and the Prime Minister are available over the weekend. The Secretary of State said that he would personally be thankful if the Taoiseach could phone the Prime Minister soon. The Taoiseach said that it might be useful to have a conversation quickly, even if they would not settle anything quickly. On that basis, it might be that the conversation should take place the next day, then follow up on it afterwards.

Walter P Kirwan
Assistant Secretary
28 October, 1996