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Meeting of Liaison Group, Dublin, 9 April 1996

Summary Report

1. The Liaison Group met for approximately two hours, with discussion continuing over lunch. Present on the Irish side were Seán O hUiginn, Seán Donlon, Wally Kirwan, David Donoghue, David Cooney, Paul Hickey and Rory Montgomery. On the British side were Quentin Thomas, Veronica Sutherland, Jonathan Stephens, Peter Bell, Nick Saunders, David Hill and David Lavery.
2. The meeting was largely taken up with discussion of (a) the present position and intentions of Sinn Féin and the IRA, and in particular how the two Governments might respond to a renewed ceasefire which was less than complete and unequivocal and (b) a British paper suggesting possible ways of resolving the decommissioning quandary on the resumption of the multi-party negotiations. Over lunch there was informal and speculative consideration of the longer-term prospects for political progress, and of possible alternatives to the present talks, should they continue deadlocked.

Sinn Féin and IRA

3. Thomas remarked, a propos the exchanges between John Hume and the British Government, that there was a general sense that these had gone as far as was possible for now. Perhaps Sinn Féin were now awaiting the likely advent of a new British Government. The key issue remained, on both sides, clarity and certainty about the other's intentions.
4. Thomas speculated that perhaps the republican movement was happy to approach the elections in a situation similar to that which existed before those of May 1996: with no formal ceasefire in place, but with a rundown in violence in the weeks directly before polling. The danger was, however, that with an "electoral auction" going on between the British parties, the IRA might provoke them into commitments or declarations which could create greater obstacles after the elections than republicans realised (he instanced Martin McGuinness's apparently sanguine views about the likely stance of a Labour Government, despite the toughening of the party's position after Aintree).
5. In general, however, Thomas characterised his own view as one of "qualified optimism": he himself thought that the analysis which had led to the August 1994 ceasefire remained persuasive in republican terms and would in due course lead to a renewed ceasefire and entry to the political process.
6. O hUiginn thought that this general analysis was plausible. He noted that there was, however, a congenital tendency on the part of republicans to underestimate the impact of non-lethal actions, such as Aintree, on British public opinion. Moreover, there was a danger that the IRA might believe that a strategy of disruption and hoax required an occasional atrocity to retain its credibility. Nevertheless, he continued to think that the tendency within republicanism was towards a renewed ceasefire, and he would not altogether rule out the prospect of one before the elections.
7. However, O hUiginn feared that tensions within the republican movement could mean

that while the political current would emerge with a new ceasefire, this could be less than ideal in either its timing or its presentation. For instance, a ceasefire in mid-May - for example - would lead to a messy situation. It could arguably be too late, certainly in British terms, for Sinn Fein entry to talks on 3 June, but would have the effect of reinforcing the centrality of decommissioning in the early weeks of the resumed negotiations. "The good news could be that the political current will be dominant: the bad news that what emerges will be bad politics."

8. Thomas agreed that the political movement within republicanism could pay a high price to the military wing for any ceasefire: the language might be even less forward than last time. It would put the two Governments in a difficult position: one would not want to "kick a gift horse in the teeth", but should at the same time maintain a principled line. He stressed that while the initial instincts of the two Governments in response to a ceasefire would no doubt differ, it was imperative that they managed these differences in private and worked towards convergence.
9. There was substantial discussion of the appropriate response to a tactical ceasefire, were one to be declared. Thomas suggested that the two Governments should not be totally dismissive of such an initiative. It could be that a tactical ceasefire would allow for discussions clarifying the last remaining uncertainties inhibiting a definitive cessation. Of course, a tactical ceasefire could not be a basis for entry to negotiations, but it could pave the way to exploratory dialogue at official level. He noted in this regard that British policy on contact with Sinn Féin at official level was less developed than our own. It depended on circumstances on the ground. A tactical ceasefire could be a relevant factor in this context.
10. O hUiginn, while emphasising that any ceasefire would be welcome in the sense that it would always be preferable to its opposite, argued that only a clear and unequivocal restoration of the August 1994 ceasefire would be sufficient in political terms. He recalled that this issue had been considered during the run up to August 1994. Now as then a ceasefire on any other basis would preserve the possibility of a return to violence and engagement with Sinn Féin in that context would bring the Governments on to very shaky ground. It would feed into deep unionist suspicions of the entire basis of the peace process. It was difficult to cooperate with any tactical ceasefire without appearing implicitly to accept or endorse the notion that it could properly be ended. He was far from sure that a tactical ceasefire could in fact be transformed into a permanent one. All in all, he would advocate a hard line in response to a move of this kind. In reply to Thomas, he confirmed that he would see a "suspension" of the IRA campaign as equivalent to a tactical ceasefire.
11. At the end of this part of the meeting, Thomas referred to what he described as the myth, given fresh currency by Senator Kennedy, that the British Government had in 1994 reneged on a deal to bring Sinn Féin into negotiations within three months of a ceasefire. We confirmed that we knew of no deals, secret or otherwise. It was possible that remarks made prior to the ceasefire by PM Major had been over-interpreted.

Decommissioning

12. The meeting gave preliminary consideration to a British paper, Resolving the Address

to Decommissioning, which had been handed over two days previously. The paper was characterised by Thomas as a "portfolio of some ideas which have occurred to us". The decommissioning question remained on the agenda, and would arise anew from 3 June. We had to pass through it and get to the other side. He presumed it was common ground that the approach of the two Governments must be based on a joint commitment to Mitchell, and felt that the approach set out in the British paper remained consistent with that. He could offer no guarantee that any or all of the ideas would persuade the UUP to move - attempts to test them before the adjournment of the talks had not succeeded.

13. O hUiginn, thanking the British side for their work, and indicating that our assessment of it was incomplete, emphasised that the Irish Government's basic view continued to be that decommissioning had to be reduced in prominence, and seen as just one of many issues to be resolved in the negotiations. The key question was not one of technicalities, but whether an inclusive process could be achieved and sustained. He feared that aspects of the approach set out in the British paper would make it impossible for Sinn Féin to participate in such negotiations.
14. Going through the paper, O hUiginn indicated that, other perhaps than some drafting points, we had no particular difficulties with paragraphs 1, 2 or 3 (though Hickey noted that much work would be required in both jurisdictions before the establishment of an Independent Commission). On paragraph 4 (other confidence-building measures), O hUiginn recalled SDLP opposition to the creation of a second sub-committee of the Plenary.
15. Turning to paragraphs 5, 6 and 7, O hUiginn noted that there were alternative interpretations of what precisely the compromise approach proposed by the International Body was. In reply to Sutherland, he suggested that Senator Mitchell, if pressed, would be guided by a wish to be politically helpful. He very much doubted whether decommissioning would be achieved on the basis envisaged in the current paper. Thomas agreed that there would have to be a mutually reinforcing dynamic involving political progress and decommissioning. Republicans and loyalists would naturally wish to delay for as long as possible. But the governments should put them under pressure. Stephens argued that a weak interpretation of Mitchell would only heighten unionist suspicion. Was it really the case that all Sinn Féin would have to do was to consider and debate decommissioning?
16. Cooney suggested that, if the talks were to succeed, some decommissioning would probably have to occur during them. This was likely to be "backloaded". But Unionists had interpreted the idea of decommissioning during negotiations as involving the operation, from day one, of a rigid timetable. The British paper, in its tone and overall presentation, seemed to make political progress a by-product of decommissioning, rather than the other way round. O hUiginn added that the issue was whether the matter was left for negotiation, or if a peremptory approach were to be adopted.
17. Thomas said that, even were decommissioning to be backloaded, nevertheless expectations would have to be properly structured. It was implausible that the political process could be sustained unless there were real progress on decommissioning. On the other hand, it had been made clear to the UUP that their demands were unattainable. Hill

added that they thought that their package would be saleable to the UUP after the elections. Sinn Féin were not being asked to sign up to a timetable. We had to agree that the joint October paper had not succeeded. Kirwan agreed that realistic expectations should be conveyed to Sinn Féin, without creating what they would see as a new pre-condition.

18. Thomas accepted O hUiginn's criticism of paragraph 5 (a), which suggested that a fear that IRA violence would "radicalise the negotiating position of the Irish Government" was a "reasonable concern" of unionists.
19. Hickey noted that the specific suggestions made in paragraphs 8 (a) -(d) were broadly, subject to drafting, within the scope of existing ideas. O hUiginn argued that the notion in 8 (e) of a call by the Chairmen on the timing of decommissioning was very problematic. He and Hickey also wondered how in practice the Chairmen could make judgements on the timing of other confidence-building measures.
20. The Irish side was strongly critical of 8(f), which envisaged that a motion declaring that a basis for further progress existed should be adopted at regular plenaries at 8-week intervals to review progress on decommissioning and on the rest of the negotiations. O hUiginn argued that this would cause immense difficulties for David Trimble, who would thus have to face down the unionist extremes at regular intervals. This procedure gave decommissioning a uniquely privileged and central position. It would thus be quite unacceptable as it stood. In later discussion, however, he made clear that he was not opposed to a review mechanism as such, but rather to the format and purpose presently envisaged. He commented that procedural issues could loom large in early debate but later could become less significant if genuine substantive progress were being recorded.
21. Thomas explained that the purpose of the "loop mechanism" set out in 8 (g) was to give new participants a chance to sign up to the existing acquis of the talks, and to reflect the reality that a new arrival would have implications for the organisation of work in the negotiations.
22. Thomas said that he would be grateful for a written indication of our ideas on their paper. If we could reach agreement we could discuss the paper's tactical deployment.. Its introduction could be a little delayed after 3 June. Perhaps it would be best presented as a British paper. O hUiginn, recalling that we had not had the chance to discuss the matter at political level, reserved our position.

Strand Three/Timeframe

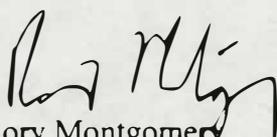
23. O hUiginn said that we were still working on ideas regarding possible preparatory Strand Three work and on a timeframe for the negotiations, and would hope to present a paper by the end of the month.

Lunchtime Discussion

24. During wide-ranging discussion of longer-term prospects for the achievement of peace and political progress, Thomas carefully emphasised the distinction between the present talks *process*, and the joint *project* of achieving peace and reconciliation. The British Government would do all it could to make the present process work. But if it failed, he

did not think it would abandon the project. It was possible to envisage a three-pronged programme, consisting of (a) advancing the reform agenda within Northern Ireland (b) the continued pursuit of a political accommodation, perhaps through the offer of a referendum on a package of new measures - maybe in the shape of a British white paper - following consultation with the parties in whatever formats "variable geometry" would allow, while (c) keeping open the possibility of a return to round-table talks.

25. It was possible that a British government would accept such an approach, but there would be a particular need for unionist confidence in the process to be generated and maintained. He speculated about the possibility of a new look in the South at the question of constitutional change in advance of a settlement.
26. O hUiginn agreed that the distinction between process and project was vital. Donlon stressed that the real importance of articles 2 & 3 was for Northern nationalists.
27. Bell laid renewed emphasis on the particular need to develop unionist confidence in the prospect of political change, to which Cooney noted that they nevertheless needed to be made aware that the greater need for movement was on their side. Montgomery agreed that the unionists needed to be persuaded that the price they would be called on to pay would bring about stability and an end to violence.
28. Reverting to the near term, Donlon described the bipartisanship which now characterised the approach of the Southern parties to the North. He suggested strongly that it would be necessary to come to quick conclusions on the viability of the talks process after the resumption on 3 June.
29. Donoghue argued that the talks could almost certainly not survive a Drumcree III. Hill suggested that, by the same token, political progress could help to improve the atmosphere surrounding the parades issue.


Rory Montgomery
10 April 1997