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Official Visit of President Robinson to Great Britain

4 - 7 June

Political Developments in Northern Ireland

Background Note

1. Both governments announced in the Joint Communiqué of 28 February that all-party negotiations would commence on the fixed date of 10 June, following the holding of elections in Northern Ireland. The terms of the Communiqué committed the British Government to bringing forward legislation on an elective process leading into all-party negotiations “based on a judgement on what seems most broadly acceptable.” British Government thinking was outlined on 21 March in “The Framework for a Broadly Acceptable Elective Process Leading to All-Party Negotiations” and was detailed in a Bill, the “Northern Ireland (Entry to Negotiations, etc) Bill”, which received royal assent on 30 April.
2. Following the period of intensive multi-lateral consultations between the two Governments and the Northern parties (4-13 March), as proposed in the Communiqué, a consultative paper on the ground rules for negotiations was issued to the parties on 15 March and following consultations with the parties, the two Governments published the final “Ground Rules for Substantive All-Party Negotiations” on 16 April.
3. With these arrangements in place, the primary areas of focus at the present are the arrangements for the all-party negotiations, the position of Sinn Féin, including the possibility of a resumption of the IRA ceasefire, and the election campaign. An outline of developments in each category is provided below.

All-party negotiations

4. As the “Ground Rules” paper makes clear, most of the arrangements will be along

similar lines to those of 1991/92. Both Governments have agreed that the purpose of the negotiations “*will be to achieve a new beginning for relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands, and to agree new institutions and structures to take account of the totality of relationships.*” As was the case in 1991/92, the paper states that the talks will be on the basis of an interlocking three stranded approach where nothing is agreed until everything is agreed.

5. Under the terms of the “*Ground Rules*” document, negotiations are to commence in Plenary on 10 June with each delegation having the opportunity to make an opening statement setting out their position on key issues and their approach to the negotiations. The paper states that this plenary session would “*adopt, and commit the participants to negotiate, a comprehensive agenda which provides reassurances, both in terms of addressing the report of the International Body and ensuring that a meaningful and inclusive process of negotiations is genuinely being offered*”.
6. While the talks would proceed on the basis of consensus, if it should prove impossible in Strand One or Two to achieve unanimity, the Chairperson will be entitled to operate on the basis of sufficient consensus. The rules for establishing sufficient consensus are currently being discussed between the two Governments. Both Governments have also agreed that any final outcome of negotiations will be put before the people in referendums to be held both North and South.
7. Negotiations between the two Governments on the procedures for the opening Plenary, the agenda and how the decommissioning issue is to be handled are continuing, with some progress having been made at the Anglo-Irish Intergovernmental Conference on 22 May and at meeting between the Tánaiste and the Secretary of State on 28 May. Of these three areas, the decommissioning issue remains the most problematic. While the two Governments have, in the Communiqué of 28 February and the “*Ground Rules*” paper, agreed in general terms on the

treatment of the issue at the start of the negotiations, the precise details remain unresolved.

8. Speaking at the British-Irish Inter-Parliamentary Body meeting on 29 April, the Tánaiste outlined a proposal whereby the issue would be remitted under an independent outside aegis, to a separate but parallel stream of negotiations. In this way he argued that the decommissioning issue could be processed and clarified for the consideration of the political negotiators, and the outcomes submitted to them for consideration alongside the results emerging from the political negotiations across the three strands. While Sinn Féin and the SDLP welcomed this proposal, there was anger within the unionist parties at what they described as an attempt to “park” the decommissioning issue. The two issues of how decommissioning is to be handled and the possibility of a new IRA ceasefire have become closely linked with republicans fearing that substantive negotiations will be delayed indefinitely until unionists are satisfied on the decommissioning issue.

Position of Sinn Féin and the possibility of an IRA ceasefire

9. A key question remains whether or not the IRA ceasefire will be restored. If not, Sinn Féin will not be permitted to take part in negotiations. The Government have sought to demonstrate to the republican movement - most recently, in speeches by the Tánaiste and the Taoiseach on 29 and 30 April respectively - that arrangements are now in place for a meaningful and comprehensive process of negotiations. While there are indications that serious consideration is now being given to a restoration of the IRA ceasefire, there are conflicting signals on the likelihood of this happening.
10. Speaking on British television on 12 May, Martin McGuinness said that he thought a ceasefire could best be achieved if Mr Major gave “*a very clear, unambiguous statement.....that what is to begin on June 10th are real, meaningful peace negotiations*”. He said that his party also required assurances that “*the decommissioning issue is not going to be an obstacle and that the unionists are not*

going to be allowed to play the roles of bogey with all of us". However, he maintained that if the British Government gave these assurances and accepted that the decommissioning issue had to be "*linked to the resolution of the causes of the conflict in Ireland*" then Sinn Fein would seek a restoration of the ceasefire.

11. Four days later, Mr Major, in an article in the "Irish Times", stated that the forthcoming negotiations would be a "*genuine and serious effort to reach a comprehensive settlement, covering all the issues of concern and acceptable to all concerned.*" On decommissioning, Mr Major said that in order to provide unionists with the necessary confidence, "*decommissioning of paramilitary weapons, as called for by the Mitchell Report, remains so important.*" He said that at the beginning of negotiations, decommissioning would need to be addressed and "*agreement reached on how Mitchell's recommendations... can be taken forward, without blocking the negotiations.*"
12. While welcoming elements of Mr Major's article, Mr Adams maintained that it was not a sufficient basis for him to seek a restoration of the IRA ceasefire and said that Sinn Féin continued to seek reassurance that the talks will not stall on the question of decommissioning. Speculation of an early resumption of the ceasefire was played down by Gerry Kelly on 19 May. In an interview for the "*Sunday Business Post*", he said that a new ceasefire was "highly unlikely." Arguing that Sinn Fein could not go back to the IRA with a "*package which had no substance*", he maintained that "*now we have to go back at least to the basis of the 1994 ceasefire which was immediate entry to meaningful negotiations and no mention of decommissioning.*"
13. In a significant development, Gerry Adams stated, on 20 May, that Sinn Féin would sign up in full to the six Mitchell Principles at the start of negotiations if the other parties did likewise. The Government described the move as "*a most significant step*" and expressed the hope that the statement could be built upon and "*that the IRA reinstate its ceasefire so that the circumstances will be right...for the success of the fully inclusive all-party talks.*" The NIO, in a statement, repeated that the February

Communiqué made it clear that Sinn Féin could only engage in talks through an “*unequivocal restoration of the ceasefire.*” Unionists reacted suspiciously to the move, with David Trimble insisting on the need for a full restoration of the ceasefire.

14. Recently, there have been increasing signs of strains on the loyalist ceasefire with an elaborate bomb hoax orchestrated by the UVF at Dublin Airport. Loyalist political leaders have sought to downplay speculation that CLMC unity is fragmenting and there are indications that the loyalist ceasefire is secure for the time being. Speaking on 18 May, David Ervine said that unlike the situations pertaining a couple of weeks ago, his understanding was that the loyalist ceasefire was now “*solid.*”

Elections and the Forum

Elections:

15. Under the terms of the Northern Ireland (Entry to Negotiations, etc.) Bill, elections are being held on 30 May. These elections have two functions - (a) to provide a pool of one hundred and ten representatives from which the Secretary of State will invite nominating representatives (the various party leaders) to select their negotiating teams; (b) to elect representatives to the one hundred and ten member forum.
16. Of the one hundred and ten people to be elected, ninety will be from the eighteen Westminster parliamentary constituencies, each of which will return five delegates on the basis of a constituency list system. The other twenty places will go to the ten parties - two to each party - which receive the highest total number of votes throughout Northern Ireland on the basis of a separate regional list. The ballot paper will show the names of each of the parties for which a constituency list has been submitted and each elector shall cast his/her one vote for a party named on the ballot paper. The twenty four participating parties are fielding approximately one thousand candidates in the elections. The campaign proved to be relatively low key with signs of confusion over the electoral system among the voters.
17. A verbal row between the main unionist parties provided the main controversy of the

campaign with the UUP accusing the DUP of being responsible for the introduction of an electoral system which threatened to fragment the unionist vote. Rejecting these claims, Peter Robinson accused the UUP of being concerned only about the danger of a slide in its own support. The DUP and Robert McCartney also severely criticised Mr Trimble over his reported comments that the Government of Ireland Act could be put on the agenda at negotiations.

18. Speaking at the launch of the UUP manifesto on 20 May, David Trimble said that his party would be seeking a new accord to take account of "*our real needs and which would enjoy real support.*" He said that his party would approach the negotiations and the forum in a positive way and would seek to get the "*maximum consensus on the future administration of Northern Ireland together with the wider relationship within these islands.*" On decommissioning, Mr Trimble said that Sinn Féin would have to begin the physical process of dismantling its weaponry a very short time after the commencement of negotiations.
19. John Hume, formally launching the SDLP's campaign on 20 May, said that the central issue of the election was to establish an all-party talks process leading to an agreement "*which will have the allegiance of all sections of our people.*" He urged a restoration of the IRA ceasefire, supported the Tánaiste's idea of a separate stream to deal with the decommissioning issue and indicated his support for employing Senator Mitchell to chair a decommissioning body.
20. Using characteristically uncompromising language, the DUP launched its "*Covenant with the Ulster People*" on 15 May. Among other things he document guarantees "*not to budge*" on "*Ulster firmly within the UK; no role for Dublin in Ulster's affairs; democratic and accountable structures of Government for Ulster; IRA.....to hand over all its weapons..; the principle of consent and self-determination for the people of Northern Ireland fully established; no negotiations on the basis of the Downing Street Declaration and the Framework Document.*" Ian Paisley described the election as being about "*the very existence of this province as an integral part of the United*

Kingdom.”

21. Running under the slogan “*Vote for Peace*”, **Sinn Féin** has sought to place party’s “*peace agenda....against the British strategy of undermining the search for peace and the unionist agenda of domination and partition.*” Speaking on 30 April, Mitchel McLaughlin said that his party would provide “*a focus for the widespread demand for real negotiations, for a release of all political prisoners*” and would present “*the British Government with a strong republican voice and give strong republican leadership at this vital time.*”
22. Running under the slogan “*Make It Work*”, the **Alliance Party** has focused on the need for a meaningful process of negotiations. It has advocated a twin-track approach to accomplish actual decommissioning, which would be handled by an International Body, while talks continue.
23. Launching their campaign on 13 May under the slogan “*Look to the Future*”, the **UDP**’s Gary McMichael said that his party would argue for a political settlement “*which puts the people back into the driving seat.*” He said they would pursue “*an accountable democratic framework of Government for Northern Ireland, a settlement in which the rights of the people are enshrined in their own constitution.*” He insisted that loyalists would not tolerate attempts to “*overturn the right of the people to determine their future freely. Change will only be achieved with their consent.*”
24. Launching their manifesto on 16 May under the slogan “*We Will Make a Difference*”, the **PUP**’s David Ervine said that they would be campaigning for a “*reasonable*” political settlement which would allow for “*special relationship*” with the South and which would be copper fastened by a written constitution and a bill of rights. While there could be no change in the constitutional status of the North without the consent of its people, the PUP suggested that structures should be devised whereby elected representatives, North and South, could voluntarily work together “*without interference in each other’s internal affairs for their economic betterment and the*

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fostering of good neighbourly relations.”

25. While significant shifts in voter behaviour are not expected, the impact at the margins of the large number of “new” parties remains an unknown quantity. In particular, no confident predictions are being made regarding which parties will take the final “top-up” seats.

The Forum:

26. Under the terms of the electoral legislation, the one hundred and ten elected representatives will be entitled to sit in a forum. The purpose of the forum is to promote dialogue and mutual understanding on issues relevant to relationships within Northern Ireland.
27. The “Ground Rules” offered nationalists reassurance on their fears that the unionists would seek to use the forum to undermine the negotiations by stating that “*any reference to, or interaction (between the negotiations and the forum)....may take place solely by agreement among the negotiating teams to this effect and only at their formal instigation*”. The SDLP have announced that they will participate on a selective basis. Speaking on 20 May, John Hume said his party would oppose any attempts to use the elected body as a substitute for the negotiations or a block to talks. It is thought unlikely that Sinn Fein will partake in the forum. The UUP have maintained that the forum would be able to assist the negotiating process when requested to do so “*by acting as a sounding board for ideas.*” The DUP have argued that any final agreement should be put before the forum for ratification before the holding of a referendum.

Anglo-Irish Division

Department of Foreign Affairs

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