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Taoiseach's Visit to United States

September 1996

Northern Ireland Peace Process

Background Note

Multi-Party Negotiations

1. Negotiations involving the British and Irish Governments, together with nine of the ten most successful parties at the May elections, commenced in Belfast on 10 June under the joint chairmanship of Senator Mitchell (later installed as Chairman of the Plenary), General de Chastelain (Chairman of the Business Committee and Strand Two) and Mr Harri Holkeri (alternate Chairman). Amid much republican protest, Sinn Féin were, and continue to be, excluded from the negotiations pending a resumption of the 1994 IRA ceasefire.
2. The week preceding 10 June saw the two Governments reach agreement, after lengthy discussions, on proposed procedural guidelines, a scenario for the Opening Plenary (including how decommissioning should be handled and the appointment of Senator Mitchell as Chairman of the Plenary with broad terms of reference), and a draft agenda for substantive negotiations. However, despite the Governments' hope that these documents would facilitate a brisk progression to substantive three-stranded negotiations, the main unionist parties quickly revealed their intention to attempt to negotiate new procedural guidelines, and to insist on an agenda for the Opening Plenary which would effectively give a higher priority to decommissioning than to substantive political issues. Two months of tortuous negotiations then ensued.
3. A near breakdown was averted on 11 June when the UUP broke with the DUP and Robert McCartney's UKUP in accepting that Senator Mitchell should chair the Plenary. All of the parties, with the exception of the UKUP, then accepted the Chairman's invitation to submit their own proposals for procedural guidelines. Following several days of conferring between the Chairman and the parties, the negotiations reconvened in plenary on 19 June. Senator Mitchell reported that, while

considerable progress had been made in the informal consultations on procedures and an agenda for the opening session, further work was required before agreement could be reached. Discussions continued thereafter largely in conferring format. Apart from round table discussions, an intensive series of bilateral meetings took place each week between the Governments and the parties.

4. Throughout this period, while making clear our willingness to consider the alteration of elements of the procedures and agenda papers agreed with the British Government on 6 June, we continued to insist that any amendments to the rules of procedure should not substantially curtail the role originally envisaged for Senator Mitchell, that the Ground Rules published by the two Governments in April must remain the basis upon which the negotiations would proceed, and that the carefully balanced approach to decommissioning outlined in the "Opening Scenario" document should be maintained. Much of the debate concerned the relationship between the rules of procedure to be agreed by the participants and the Ground Rules presented by the two Governments.
5. The events at and subsequent to Drumcree cast a large shadow over proceedings at the negotiations. During the stand off, the main unionist parties withdrew for a number of days and on their return, following the RUC's climb down, a period of "bloodletting" was required. However, despite the obvious tensions created by Drumcree, unanimous agreement was finally reached in Plenary on 29 July (the final day before the summer recess) on a new set of rules of procedure. These rules do not differ significantly from those agreed with the British on 6 June. Their adoption remains the only concrete achievement of the first two months of negotiations.
6. While the Governments and the Chairmen are anxious that substantive negotiations begin very soon after the talks reconvene on 9 September, agreement remains to be reached on the agenda for the remainder of the Opening Plenary and on a comprehensive agenda for the negotiations. The manner in which decommissioning will be addressed is likely to prove a serious sticking point. The issue had to a large

extent been parked during the wrangle over the procedural guidelines, but began to resurface as a likely difficulty as the talks moved towards their recess. The three main unionist parties have proposed an agenda which envisages the establishment of the agreed decommissioning machinery before any consideration of the comprehensive agenda.

IRA and Loyalist Ceasefires / Position of Sinn Féin

7. The likelihood of any new ceasefire remains unknown. It had been hoped that the agreement of the two Governments in the week preceding 10 June on the handling of decommissioning at the Opening Plenary of the negotiations, and on the installation of Senator Mitchell as Chairman of the Plenary with broad terms of reference, would strengthen the hand of those within the republican movement actively seeking a resumption of the ceasefire. Some hope was gleaned from the IRA statement in June admitting responsibility for the Manchester attack where they stated that they were "*still prepared to enhance the democratic peace process*". However, the discovery of a substantial bomb making facility in County Laois and the bombing of a British army base at Osnabruck in Germany cast further doubt on any optimistic interpretation of IRA intentions.

8. Events at Drumcree, Derry and elsewhere during July and August may have made it more difficult for those within the republican movement actively seeking a restoration. There are real fears that the disturbances associated with the marching season may have radicalised a new generation of young nationalists. Sinn Féin have been very critical of proceedings at the negotiations and continue to call on the two Governments to build a new peace process. Martin McGuinness, speaking on 1 September, did acknowledge that real negotiations would require "*a peaceful environment*", and he agreed that there could not be a peaceful environment while there was no IRA cease-fire.

9. A hardening in the Government's attitude to Sinn Féin occurred after the bombing of Manchester. Speaking on 23 June, Mr Bruton said that "*this time people have to be*

convinced that this (a new ceasefire) is not a tactical matter but it is a genuine, permanent and irrevocable commitment to peace and to work through problems without recourse to threat". However, the position remains that a restoration of the August 1994 ceasefire would be sufficient to allow Sinn Féin into the negotiations. Contact remains open at official level, although only one such meeting has taken place since the negotiations began (on 17 July in the aftermath of the Drumcree disturbances).

10. The response of the British Government to any new ceasefire announcement remains unclear in the light of the Manchester bombing. Immediately afterwards, the Home Secretary seemed to indicate that Sinn Féin's immediate inclusion in negotiations would not automatically follow, but the formal position remains as stated in the February Communiqué, and the Secretary of State has been careful to avoid definitive statements.
11. While the loyalist ceasefire has held until now, the events surrounding the marching season, the bombing of the hotel in Enniskillen and the failure of the IRA to restore its ceasefire have clearly put it under enormous pressure. The murder of a Catholic taxi-driver near Lurgan during the Drumcree stand-off is generally attributed to dissidents within the UVF and the UFF were responsible for a bomb hoax in Dublin on 17 July. A split has developed within the UVF, with the mid-Ulster unit being ordered to disband. A statement was issued by the CLMC on 28 August ordering the unit's leader, Mr Billy Wright, to leave Northern Ireland within 72 hours or face "*summary justice*". There is some uncertainty as to whether or not the loyalist parties will be allowed to participate in the negotiations upon their recommencement in the light of this development. The main unionist parties have strongly argued that the threat represents a clear breach of the Mitchell principles.
12. In an article in the "Belfast Telegraph" on 27 August, David Ervine warned that the UVF and the Red Hand Commando "*now have reason to believe that the peace process and the political process have little hope of surviving*" and stated that loyalists

now saw the Irish Government “*as being wholly dubious*”. However, the UDP have moved quickly to dissociate themselves from Mr Ervine’s comments and have insisted that the loyalist ceasefire remained intact.

Other Developments

Forum

13. In the aftermath of Drumcree the SDLP withdrew from the Forum claiming it was an “*irrelevant distraction*”. The Forum had itself endured lengthy procedural wrangles and had yet to move to substantive work when rising for its summer break on 26 July. It remains to be seen if the unionist parties will seek to hinder progress at the negotiations because of the SDLP decision.

Aftermath of Drumcree

Richard Dallas Controversy

14. Richard Dallas became the first UUP mayor of Derry since 1980 on 3 June when, with SDLP backing and in line with the SDLP’s power-sharing policy, he successfully defeated the Sinn Féin candidate. However, following his participation in a blockade of Craigavon Bridge on 10 July (during the Drumcree stand off), the council passed a vote of no confidence in him by twenty votes to seven.
15. When Mr Dallas refused to resign in the face of the confidence vote, the SDLP moved to remove from him all facilities normally provided for the mayor. At a confidential meeting of the council on 31 July, a decision was taken to deprive him of representing the city at civic functions, of using the Guildhall and the mayor’s car, and denying him access to secretarial facilities. Mr Dallas is taking legal action to have his privileges restored and is also seeking a declaration that the council’s decision was in breach of the Northern Ireland Constitution Act 1973 as it discriminated against him on the grounds of his religious belief or political opinion.

Boycott Situation

16. Since the Drumcree related disturbances there have been increasing media reports of nationalists boycotting Protestant shops and other business. The boycott has been concentrated mainly in towns and villages west of the Bann, in particular close to the border, and would appear to be aimed at those owners who are members of the Orange Order and/or were involved in manning roadblocks during the disturbances. Unionists have claimed that those with no involvement in the Drumcree disturbances have also been targeted.

17. While the NIO are currently preparing an analysis of the extent and effects of the boycott, to date all information is anecdotal. Sinn Féin have denied unionist accusations that it is orchestrating the boycott. Sinn Féin's spokesman described it as "*peacefully channelled anger*" at events surrounding Drumcree and added that it was "*simply local people refusing to shop with people who manned loyalist barricades*". The SDLP have condemned the boycott, as have leaders of the four main churches. Threats by unionist businessmen to counter-boycott southern companies have been reported in recent days.

Anglo-Irish Division
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