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Intensive Multilateral Consultations: Meeting between the Tánaiste and the Secretary of State
Belfast, 8 March 1996

Summary

1. The meeting lasted for approximately three hours. Most of it was devoted to discussion of draft papers prepared by the British side for circulation by it to the parties, in particular that on the possible role of an elected forum. Agreement was eventually reached on the treatment in that paper of a possible compromise arrangement. A paper on the transition from elections to negotiations was also agreed, and the two papers were subsequently circulated to the parties, along with one setting out the two principal models of electoral system to have received support (copies of papers were circulated on receipt).

Detail

2. The Secretary of State and Michael Ancram were accompanied by John Chilcot, David Fell, David Watkins, Peter Bell, Jonathan Stephens and David Hill. The Tánaiste was accompanied by Seán O hUiginn, David Donoghue, Fergus Finlay, David Cooney and Rory Montgomery.

News from the Road

3. The Secretary of State began by giving a brief account of his meeting on Wednesday with David Trimble. It had been difficult: the "usual discourtesies" were observed. Those accompanying Trimble had been perhaps a little embarrassed. Essentially, there had been little evidence of any movement, as was "characteristic of the parties at first instance": the same had been true of the SDLP. There was no indication of any openness on the UUP's part to a list system.
4. Michael Ancram said that in his view the UUP did not particularly like the present process, or the prospect of negotiations, but they understood that it existed and was credible. The key was to ask them if they were the ones who wished to "bring it all down." The DUP were being more pro-active.

5. The Secretary of State said there had been constructive meetings with the Alliance Party, the Workers' Party, Democratic Left, and the Conservative Party (the latter pair had been seen on the same basis). The Secretary of State said that he had had a "predictable" meeting with the DUP, and an "entirely civilised" meeting with Robert McCartney, whom he had liked.
6. Michael Ancram said he had had a useful meeting with the UDP. They were keen to be part of the process, and interested in the possibility of co-option to the negotiations. They had given some thought to what would happen if the IRA ceasefire were not restored, and were concerned lest Mitchell be discussed with them present and Sinn Féin absent.
7. The Tánaiste briefly described the Irish Government's meetings with Alliance and the Workers' Party, and outlined recent contacts with the DUP and PUP. He concluded by stressing that the parties appeared far apart and that they seemed prepared to leave decisions to the Governments. Perhaps the best that could be hoped for was that all would be equally opposed to what emerged.

Position of Sinn Féin

8. The Tánaiste characterised the present situation in regard to Sinn Féin as "profoundly depressing". They seemed ready to blame everyone but themselves. However, while maintaining the ban on Ministerial contact, the two Governments should be careful not to squeeze them completely. The door should be kept open. Perhaps a joint meeting at official level should be discussed further. The present round of consultations offered an opportunity to show that there was a dynamic in the process.
9. The Tánaiste repeated a point he had made in a brief tete-a tete, that the situation of Patrick Kelly must not be allowed to develop into a publicity opportunity for the IRA.
10. The Secretary of State said that he shared the Tánaiste's views on Sinn Féin. He appreciated the Irish Government's firm stance. He agreed that the two Governments should not use language which forced Sinn Féin into a corner. As an intellectual

possibility, he saw that the structures within the movement could be taking a long time to respond to the Communiqué.

11. The Tánaiste said that nobody knew for certain what was happening. The politicians within Sinn Féin wanted to participate in a political process. How the IRA was affected by this was unclear. He remarked that we had to try to make policy on certain presumptions. It had to be hoped that there would be a cessation before 10 June, but it was not certain. If not, there would be many problems to be resolved - such as that raised by the UDP.
12. The Secretary of State said that if there were an unequivocal restoration of the ceasefire of August 1994 Ministers would meet Sinn Féin. The Tánaiste warned that it would be necessary to avoid any semantic debates. The Secretary of State agreed: he hoped it would be possible to avoid parsing and analysis.
13. Mr O hUiginn emphasised that the wider political impact of what emerged from the present consultations would be significant. There was a debate going on within the republican movement. The shrewder heads within the organisation knew that if the ceasefire were restored, no shred of their credibility would survive a second breakdown. They therefore felt that they had to be sure of what they would be getting in to. They required a sense of how the British Government would respond to a new ceasefire. They also wanted to see what decisions were taken on elections and on the transition to negotiations. Were negotiations to be real, or were they pre-destined to be blocked on decommissioning?
14. The Secretary of State recognised all this as germane. He recalled that the term "unequivocal" was used in the second paragraph of the recent Communiqué. The ceasefire had been announced in a formal statement on 31 August 1994. That had been abrogated. There now needed to be an equally formal "cancellation of that abrogation." It could not be enough for there to be a gap between acts of violence. The Tánaiste concurred: we too required a formal statement with "P. O'Neill up in lights."

Draft Consultation Papers

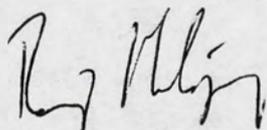
15. The Secretary of State emphasised his desire to circulate to the parties that evening consultation papers on the electoral system, the possible role of an elected forum, and the transition from elections to negotiations. He confirmed that their draft paper on the possible involvement of small parties had been superseded by the agreed language on observer status contained in the draft joint paper on the ground rules for negotiations. The Tánaiste noted that we had supplied a consolidated draft of that paper. Michael Ancram explained that the paper on electoral systems was not being shown to the Irish side, for reasons of Unionist sensitivity, but offered assurances that it was neutral and technical in its terms.
16. A prolonged discussion then began on the British paper on the possible role of an **elected forum**, and in particular on the final paragraph devoted to a possible compromise arrangement, Option C, which read "*The forum might also be tasked - on an agreed basis and at the instigation of the negotiating process - to provide a measure of the breadth of support available for propositions arising in the course of the negotiations, so as to inform those negotiations; and/or at the end of the negotiating process.*"
17. The Tánaiste and his officials essentially argued that any reference in such a paper to the possibility that a forum would play such a role would destroy any prospect of nationalist acquiescence in the creation of a forum - to which they were in principle powerfully opposed. Nationalists saw themselves as having made a major concession in having reluctantly accepted that there would be an elective process.
18. The Secretary of State, Michael Ancram and their officials claimed that the absence of any such reference, even in the limited and hypothetical terms employed, would lead to Unionist rejection of Option C as a possible basis for compromise. They pointed out that the Prime Minister had mentioned such a role as a possibility in the House of Commons on 24 March. They further were at pains to stress that they envisaged that use would be made of the forum for the purpose of measuring breadth of support only at the request

and with the agreement of the negotiators. The Irish side countered that if this were so, nationalists would undoubtedly withhold their agreement to this reference back to a forum, rendering the provision immaterial. Accordingly, the British paper would end up achieving the worst of both worlds: Unionists would see that what was offered was, on the face of it, of no value, while nationalists would continue to fear that Unionists would seek to exploit, perhaps illicitly, the possibility suggested by the language.

19. Numerous alternative wordings were put forward by both sides, until eventual agreement was reached on merging the two final paragraphs of the British text and rewriting them in non-specific terms, as follows: *“Any discussions, studies or reports from the elected forum would of course inform the negotiating process, which might be free to commission such work. This or any other interaction between the elected forum and the negotiating process which might be proposed by participants in the negotiations and which might be of benefit in developing agreement, would be by agreement among the participants in the negotiating process and only at their instigation.”*
20. Certain other changes to the British draft were agreed:
 - language clarifying the forum’s lack of power to control the negotiating process was strengthened (para. 11 of paper as issued)
 - reference to the forum enabling its members to develop common cause on social and economic issues was dropped (para. 13)
 - a listing of possible options regarding the chairing of the forum, absent from the British draft, was inserted (para. 14).
21. The British side, in particular John Chilcot, strongly opposed any inclusion in the paper of a reference to the forum operating by consensus, on the unexplained grounds that this could be ultra vires, although it was drawn to their attention that a similar reference to the operation of sub-committees was included. However, in the paper as issued such a reference did appear (para. 14).
22. The British paper on the **transition to negotiations** was also discussed. The British side

were quick to agree that the more problematic sections, regarding the opening of negotiations and the treatment of decommissioning, could be dropped from this paper and looked at again in discussion on the ground rules paper. They agreed to include a specific reference to the starting date of 10 June, to avoid any confusion. In relation to a possible IRA ceasefire, they replaced "*restored satisfactorily*" with "*unequivocally restored*" (in line with the discussion of this matter earlier in the meeting). They also undertook to omit any reference to the consequences for the loyalist parties of a breakdown of the loyalist ceasefire.

23. After the end of the meeting, the British tidied up their papers as agreed and released them to the parties.



Rory Montgomery

12 March 1996