

12/16

C O N F I D E N T I A L

FROM: C G MACCABE
POLITICAL AFFAIRS DIVISION
23 December 1994

REF NO: XD/R2

cc PS/Michael Ancram (DENI, B&L) - B
PS/Sir John Wheeler (B&L) - B
PS/PUS (B&L) - B
PS/Mr Feill - B
Mr Legge - B
Mr Thomas - B
Mr Bell - B
Mr Brooke - B
Mr Daniell - B
Mr Leach - B
Mr Shannon - B
Mr Steele - B
Mr Watkins - B
Mr Williams - B
Mr Wood (B&L) - B
Mr Brooker - B
Mrs Brown - B
Mr Dodds - B
Mr Stephens - B
Director, TFU - B
Mr Beeton - B
Mr P Lever, Cabinet Office
HMA, Dublin - B
Mr Lamont, RID - B

19042
29 DEC 1994

ASST HM 6711
SEC 05 JAN 1995
CENT SEC

cc Mr Maxwell

Mr. Doherty
LDAI

ASST W 10111
SEC 09 JAN 1995
CENT SEC

PS/Secretary of State (B&L) - B

EXPLORATORY DIALOGUE: RECORD OF SECOND MEETING, 19 DECEMBER 1994

The second meeting of exploratory dialogue with Sinn Fein began at 12.00 noon on Monday 19 December 1994 in Parliament Buildings, Belfast. It had been scheduled to start at 11.30 am but the Sinn Fein team were delayed by "traffic light problems". The Government team was led by Quentin Thomas and included Stephen Leach, David Watkins, Chris Maccabe, Jonathan Stephens, and Tony Beeton. Martin McGuinness led the Sinn Fein team and was accompanied by Lucilita Bhreatnach, Gerry Kelly (Secretary), Sean McManus and Siobhan O'Hanlon (notetaker).

C O N F I D E N T I A L

- 1 -

XD/R2/CP26760

C O N F I D E N T I A L

2. Having warned Mr McGuinness by telephone earlier that he would do so, Mr Thomas opened the meeting by referring to the bomb found in Enniskillen the previous day. He said dialogue between HMG and Sinn Fein could continue only if the complete cessation of violence announced by the IRA on 31 August was maintained. There would be no talking against a background of threats or implied threats. Mr McGuinness said he had just learned the IRA had issued a statement denying they had anything to do with the bomb. This did not surprise him for when he had first heard about the attack on the radio the previous evening the possibility that it might have been an IRA bomb had not crossed his mind. Noting that the more distance Sinn Fein put between themselves and such incidents, the more confidence would be built in their commitment to peace, Mr Thomas asked if Sinn Fein had any problem condemning the attack. Mr McGuinness replied that it was not for Sinn Fein to condemn the attack. He went on to suggest, mischievously, that "British military intelligence" could have been responsible, and asked Mr Thomas if he was prepared to condemn "the RUC's vicious attack on Martin Meehan" (see paragraph 34(iii) below). Mr Thomas said he had no difficulty condemning any act of violence and again asked if Mr McGuinness would condemn the Enniskillen bombing. Mr McGuinness repeated that as he did not know who was responsible he could not condemn them, adding testily that the politics of condemnation led nowhere. Mr Thomas said Mr McGuinness was entitled to his opinion, but the reality was that Sinn Fein had a problem developing confidence in the wider community. Whatever else, the discussion illustrated the centrality of the arms issue to the whole talks process. This drew a petulant response from Mr McGuinness: "It is quite clear Sinn Fein have no, repeat no, connection with what happened in Enniskillen. We are here because of our electoral mandate. Our people have waited long enough for justice; the people we represent are wholly committed to the peace process." At this point, as the conversation had become circular, Mr Thomas suggested moving to the first item on the agenda.

C O N F I D E N T I A L

- 2 -

XD/R2/CP26760

C O N F I D E N T I A L

Minutes of last meeting

3. Mr Thomas said Sinn Fein had been sent a short note of the last meeting. Mr McGuinness said this was not a satisfactory way of doing business. Sinn Fein wanted a verbatim record. Mr Thomas reminded Mr McGuinness of their shared wish to conduct XD meetings in an orderly but not unduly formal manner. He did not think that a transcript of the proceedings would help to achieve this.

Mr McGuinness disagreed, arguing that as well as providing an accurate record of what was said, it would help build up trust between the two sides. In the absence of agreement on the point, however, Sinn Fein would just have to move on regardless: "You keep your record, we'll keep ours, and we'll let the public judge which one is right. That's what happened before (a reference to the messages passed between HMG and Sinn Fein during 1993 and published by HMG in November 1993), and we won round one."

4. Nevertheless, despite having appeared to accept he was not going to get what he wanted, Mr McGuinness asked formally for the Government team to consider the request for a verbatim record of future meetings, and Mr Thomas promised to do so and respond at the next meeting.

Standing Orders

5. Mr Thomas referred to HMG's draft Standing Orders for the conduct of meetings that the Sinn Fein team had taken away from the last meeting. He asked if they were satisfactory. Mr McGuinness said they were satisfactory as far as they went, but experience had shown the meetings could be adequately handled without the aid of Standing Orders. Mr Thomas accepted this.

C O N F I D E N T I A L

- 3 -

XD/R2/CP26760

C O N F I D E N T I A L

Responses to opening statements made on 9 December

6. Having been invited by Mr Thomas to go first, Mr McGuinness read Sinn Fein's response to HMG's opening statement into the record of the meeting. A copy is at the Annex to this note.

7. Mr Thomas thanked Mr McGuinness for this contribution and said it touched on most of the issues of joint concern. It was HMG's objective to move to a point where Sinn Fein could be brought into an inclusive talks process, which would have an open agenda. At this stage, however, Sinn Fein had not got there and in this connection their response to HMG's opening statement did not really help. Reduced to its simplest, Sinn Fein's objective was the end of British sovereignty over Northern Ireland. And unless it ended there was an implication that the conflict would re-start. On this analysis, people might well question the sincerity of Sinn Fein's professed commitment to the democratic process and the end of violence. Mr McGuinness replied that for hundreds of years history had shown that the root problem in Ireland was the British presence: because it had not been removed violence was endemic. This was incontrovertible. Sinn Fein were totally committed to a peaceful resolution of the problem and the British analysis - that violence was the cause rather than the effect of the problem - was just one way of looking at it. Naturally Sinn Fein's viewpoint was very different.

8. Mr Thomas said there was no point in being less than candid. Sinn Fein had entered the process asserting (understandably) a Republican position which included an historical analysis. He had no difficulty with that: everyone had entered the process with a wish list. The key question people must ask, however, was what were Sinn Fein going to do if they did not get what they wanted? They were entitled to try as hard as anyone else to get what they wanted - and good luck to them - but the chances were they would fail. What would they do then? Mr McGuinness said it was no use asking

C O N F I D E N T I A L

- 4 -

XD/R2/CP26760

C O N F I D E N T I A L

Sinn Fein this question, they were a democratically mandated party. The question should be put to the IRA. Everyone but HMG and the Unionists accepted that Sinn Fein were not the IRA. **Mr Thomas** said it was simply not credible for Sinn Fein to say that they and the IRA were entirely separate organisations. A poodle in Paris, or a parrot in Peking, may swallow this line, but even the dogs in the street in Northern Ireland would not. (This alliterative passage brought a broad grin to the face of Sean McManus and a barely stifled chuckle from Lucilita Bhreatnach.) **Mr McGuinness** replied that Sinn Fein could cast similar aspersions on HMG and the Unionists: "Your army is up to its neck in blood in Northern Ireland. Do you know how people in Derry feel about the soldiers responsible for 13 murders on Bloody Sunday getting medals? And Belfast Nationalists about the murderous behaviour of the RUC on the Falls Road in August 1969? But he added quickly, "We don't want to go into these things, we don't want to recriminate."

9. Seizing the opportunity, **Mr Thomas** brought this part of the discussion back to his original question: "If you don't get what you want, what then?" **Mr McGuinness** replied that Sinn Fein did not know HMG's real position on the question of sovereignty. **Mr Thomas** replied that HMG's real position was their published position. **Mr McGuinness** asked what then did HMG's representative mean last year when he told Sinn Fein British rule in Northern Ireland was coming to an end. **Mr Thomas** said this was an unauthorised statement and repeated that HMG's policy was as on the public record; there was no hidden agenda.

10. Changing tack again, **Mr McGuinness** said HMG had no right to exclude Sinn Fein from inclusive political talks. The whole world knew that HMG were creating obstacles to this natural development, and were questioning, therefore, HMG's commitment to the peace process, not Sinn Fein's. He and his colleagues had not come to the meeting to be interrogated or lectured by British officials. HMG had placed Unionists in a position where they had inflicted grave

C O N F I D E N T I A L

- 5 -

XD/R2/CP26760

C O N F I D E N T I A L

injustice on their Roman Catholic fellow countrymen for more than fifty years, yet refused to face up to this reality.

11. Joining the debate **Mr Leach** said HMG's objective was to remove the gun from Irish politics forever. But the process necessary to achieve this objective could not be carried out in the shadow of violence or the threat of violence. Everyone recognised the risk of maverick elements seizing the initiative - the Enniskillen bomb could be an example - but however one looked at it the question of arms had to be addressed.

12. **Mr McGuinness** said Messrs Thomas and Leach had missed the point despite the fact that in his opinion HMG's opening statement had almost gone as far as saying that the British had treated the Irish people very badly. This was a welcome sign that HMG might be capable of entering the real world. He added, however, "with respect" that from their side of the table it looked as if HMG wanted Sinn Fein to jump through hoops. But they would not be treated in this demeaning way. They were absolutely serious about moving on free of any historical incumbrances or pre-conditions. **Mr Thomas** said HMG too were wholly committed to the process. But the credibility problem remained regarding Sinn Fein's position on violence. This did not mean HMG were dancing to a Unionist tune for if things went well HMG might be prepared to accept Sinn Fein as partners in the inclusive talks process before either of the main Unionist parties were prepared to accept them. HMG did not want to set pre-conditions, or to create an impasse, but it was a political reality that the arms issue had to be addressed satisfactorily. It was a matter of record that many members of Sinn Fein had been involved in violence and it was unconvincing for the Party to say, for example, in regard to punishment beatings that "no Republicans were involved". **Mr McGuinness** replied that this was a silly point. Sinn Fein had no special insight into IRA violence, or any other violence. It was simply that in the areas concerned, everyone knew who was responsible for violent activity.

C O N F I D E N T I A L

- 6 -

XD/R2/CP26760

C O N F I D E N T I A L

13. Mr Thomas said there was no way of obscuring the fact that the question of arms posed real problems. Mr McGuinness replied: "We all have problems, Quentin, but if it breaks down people aren't going to blame Sinn Fein. We have convinced most people, including the American Government, the Irish Government, the Europeans, John Hume and John Alderdice, that we are serious." Sinn Fein had made their position crystal clear in their opening statements on 9 December, and again that morning, but HMG did not believe them. Mr Thomas said his interpretation of their position was that unless the causes of conflict were removed, violence would begin again. Mr McGuinness said this was not their position, and Mr Thomas' interpretation was the result of selective reading. In response to Mr Thomas' question as to what would happen if the final result of any inclusive process did not meet Sinn Fein's wish list, Mr McGuinness was evasive and stated that as a democratic party Sinn Fein were exclusively committed to democratic means. Moreover, as a democratic party they could not speak for anyone else, be it the IRA, the UVF, the UDA or INLA, any more than, say, Peter Robinson or Ian Paisley could speak for these groups. As HMG's actions over the centuries had created the current situation, their representatives had a "brass neck" to adopt such a moralistic tone. HMG had no right to prevent Sinn Fein entering the democratic process, and if they continued to do so the peace process would get bogged down. Every time Sinn Fein sat down with HMG they saw an obstacle course being laid out in front of them. The impression was created that HMG were giving away a major principle by talking to Sinn Fein. But this was nonsense, for everyone knew that HMG had been talking to Republicans for more than twenty years. However, there was no use engaging in endless recriminations. What did HMG think about Sinn Fein's response to HMG's opening statement?

14. Mr Thomas said Sinn Fein's response would be considered very carefully, especially the last few paragraphs. Mr Beeton pointed out that the document was silent on Sinn Fein's attitude to the use of violence by others and Mr McGuinness replied, again, that Sinn Fein were committed to the democratic way. Mr Leach said the

C O N F I D E N T I A L

- 7 -

XD/R2/CP26760

C O N F I D E N T I A L

public's perception of Sinn Fein's relationship with the IRA was rather different than Sinn Fein's description and Mr McGuinness replied that there were lots of perceptions around. All the more reason for getting into all-inclusive negotiations right away so that such things could be talked about. Mr Leach said the public perception was reinforced by certain facts, such as the IRA having sent a statement to Sinn Fein's Letterkenny conference during the summer. The statement had been published in the Irish Times and, like that day's statement denying the Enniskillen bombing, had been signed by "P O'Neill". Rather feebly (appearing to have been taken off guard) Mr McGuinness replied that one should not believe everything one read in the Irish Times: he personally was unaware of any such statement and would be very surprised if it had been made. But he would check and report back at the next XD meeting.

15. Mr Watkins asked how Sinn Fein might go about convincing others that they had no connection with the IRA. Mr McGuinness repeated that they had convinced everyone but the Unionists and HMG. Mr Thomas said what they had actually convinced people of was that the Republican movement as a whole had made an historic shift: "That's what you are getting the credit for." Now we needed to move on to the point where the gun was taken out of Irish politics for ever. Mr McGuinness said that would only be possible if the past was left behind and as much agreement as possible was achieved in the future. Mr Watkins pointed out that this agreement would have to include Unionists if it were to last and Mr McGuinness replied that HMG would have to use their "influence" to "induce" Unionists to agree.

16. At this juncture Mr Thomas suggested an adjournment so that both sides could partake of the light lunch that had been provided. He said they could either eat together in the conference room, or the Sinn Fein team could return to their delegation room. Mr McGuinness said they were not really interested in food - coffee would be sufficient - but Ms Bhreatnach intervened to say she was

C O N F I D E N T I A L

- 8 -

XD/R2/CP26760

C O N F I D E N T I A L

hungry (presumably having travelled from Dublin that morning). So the Sinn Fein team departed. The meeting resumed after twenty minutes.

17. Mr Thomas opened the resumed session by remarking that there was a fair amount of common ground between Sinn Fein's opening statement and their response to HMG's opening statement. As he had said earlier, the HMG team would consider them carefully and would probably prepare a response for delivery at the next meeting. Mr McGuinness said he was happy with this, noting that they had already been the subject of comprehensive discussion.

Economic conference

18. Ms Bhreatnach led into the discussion on this topic with a reminder that it had also been discussed at the last meeting. She said PS/Secretary of State's (Simon Rogers') reply to Mitchel McLaughlin's letter about Sinn Fein's treatment had said their concerns could be addressed at the meeting. She hoped they would be. HMG's attitude to Sinn Fein had been a complete rejection of the concept of parity of esteem and did not augur well for the peace process. The Party's supporters in the "six counties" had been denied participation in an important international event and this had not gone unnoticed by the international visitors. It had also been raised at the Irish Forum for Peace and Reconciliation. HMG needed to accept that discriminatory practices existed at all levels of Government in Northern Ireland; and that Sinn Fein had exactly the same rights as other parties. When would this discrimination end? When would political vetting end? How could HMG talk about parity of esteem when, for example, funding was denied to Meanscoile Feirste on blatantly racist grounds? Sinn Fein needed answers to these questions.

19. Mr Watkins took the floor. He reiterated the point made at the earlier meeting that political parties as such had not been invited to the Investment Conference. A total of six Sinn Fein

C O N F I D E N T I A L

- 9 -

XD/R2/CP26760

C O N F I D E N T I A L

Councillors from Belfast and Derry had, however, been invited together with other Councillors on the same Council Committees, which were closely involved with economic development. In each case the invitations were to the Conference proper, which had lasted for just two and a half hours on the morning of Wednesday 14 December, and not to the pre-Conference dinner. The Conference had been hailed as a success and he regretted that Sinn Fein's representatives had chosen to walk out after a few minutes. Moreover, the Conference was mainly for the benefit of overseas visitors and had taken the form of a seminar at which presentations were given, rather than a debate.

20. Ms Bhreatnach said she could not accept that Sinn Fein's exclusion was anything but political, especially as the leaders of all the other main parties had been invited. Nothing would convince her otherwise. She continued that Sinn Fein wanted to know when their Councillors were going to be put on an equal footing with other Councillors, and when "political vetting" of worthy organisations like the Conway Mill enterprise would end. Mr Watkins replied that, as regards what Ms Bhreatnach called political vetting, he assumed she was referring to the Hurd policy. This policy had existed since 1985 and was founded on the eminently reasonable premise that taxpayers' money should be kept out of the hands of paramilitary groups. It was not applied against political parties per se. Since its introduction funding had been denied in twenty two cases, from both sides of the community. Changed circumstances meant that five of these applications had subsequently been granted, so the net number of cases in which funding had been refused was just seventeen.

21. Mr Thomas said there was no denying that HMG treated Sinn Fein differently from other parties; that was an historical fact. But we were now in a transitional stage and wanted to reach the point where Sinn Fein could be treated like everyone else. Although the Party did not seem to realise it, inviting the Sinn Fein members of the two Council Committees to the Investment Conference had in

C O N F I D E N T I A L

- 10 -

XD/R2/CP26760

C O N F I D E N T I A L

itself been a significant step and if movement through the transitional stage continued satisfactorily more could be done. In the case of the Investment Conference, its timing vis a vis the beginning of exploratory dialogue meant that HMG could not have gone further. However, as a token of good faith, Mr Thomas said he was prepared to recommend to Ministers that the existing prohibition on their receiving Council delegations including members of Sinn Fein should be lifted. (This gesture did not produce any visible reaction from the Sinn Fein team.)

22. Turning to the question of Meanscoile Feirste, Mr Thomas said Mr Watkins had explained that to have helped that school in the way they wanted would have been to benefit them disproportionately in relation to other schools. He asked Ms Bhreatnach if she thought this kind of differential funding was warranted. She replied that there was a right to Irish language tuition, which was already recognised in the primary sector. Mr Watkins then outlined the funding policy and criteria for Irish language schools. He stressed that Irish language was taught freely and openly in many schools, including three Irish language primary schools. The Government had no doctrinal hang-ups. The decision on Meanscoile had been taken against a background where even if the pupil numbers criterion had been halved the school would not have qualified. To have funded it regardless would have meant jumping it over some two hundred other schools, Catholic and Protestant, with pressing capital works needs. Personally he regretted the outcome of Meanscoile's application, but the Government had no alternative. Ms Bhreatnach asked if Mr Watkins realised the decision could force the school to close. He replied that he realised the decision could put a heavy financial burden on parents. Ms Bhreatnach said it was obvious Sinn Fein were not going to get satisfaction and she was therefore prepared to move on, having once again put their concern on the record.

C O N F I D E N T I A L

- 11 -

XD/R2/CP26760

C O N F I D E N T I A L

Arms

23. Mr Thomas said that the arms issue had been discussed at the last meeting, and already that day in the context of the Enniskillen bomb. Both sides accepted that there was a link between arms and a political solution. We had heard again that Sinn Fein had no connection with the IRA, and did not have arms of their own, but nevertheless we would find it very helpful to have a discussion on the decommissioning of arms. He suggested there might be parts of such a discussion that should be conducted in confidence, and that it might be desirable to set up a sub-group for the purpose. He invited Mr McGuinness to comment.

24. Mr McGuinness said that his response was very simple. Sinn Fein did not have arms and it was totally wrong for HMG to try to make progress on the issue a pre-condition for their entry into inclusive talks. Mr Thomas said it was not a pre-condition, but a political reality that the possibility of violence starting up again had to be addressed if there was to be forward movement. He understood Sinn Fein's position was one of commitment to peaceful and democratic progress, but the hard fact was that there was an organisation out there (the IRA) ready and able to resume violence at the shortest of notice. Sinn Fein's analysis seemed to be that the matter could only be finally determined after round-table agreement was reached on all other matters. HMG's position was that it must be addressed now, by constructing a scheme for decommissioning arms. If Sinn Fein were willing to help it would undoubtedly hasten the time when they could move fully into the democratic process.

25. Mr McGuinness said he totally rejected HMG's approach. HMG had been talking to the other parties in Northern Ireland for five years with no tangible result, yet refused to talk to Sinn Fein despite their sizeable electoral mandate. He repeated that Sinn Fein had absolutely no control over the IRA or their arms and asked

C O N F I D E N T I A L

- 12 -

XD/R2/CP26760

C O N F I D E N T I A L

if the Prime Minister was prepared to tell the world that the peace process had broken down because of HMG's intransigence on this point? Sinn Fein were committed to a peaceful resolution of the Irish problem, but were HMG? Together with the Prime Minister's "hard-line" statement the previous week on IRA arms, the discussion of the last few minutes suggested to him that the issue had the potential to destroy the peace process. Mr Leach said Sinn Fein had to understand that HMG could not deliver the Unionist parties to the Conference table. Mr McGuinness disagreed. The question of arms - including the arms of the "Crown Forces" - would have to be addressed, but only in substantive, all-inclusive, talks. Many people in the British Establishment now accepted this; why was HMG being so stubborn?

26. Mr Thomas said he could not accept the kind of distinction between Sinn Fein and the IRA that Mr McGuinness described. But if for the sake of argument it were accurate, how did Sinn Fein think the IRA's views could be presented at inclusive talks?

Mr McGuinness replied that he had not thought about this, but he was sure HMG had, and would find a way. Mr Thomas said that if Sinn Fein continued to take this position then people were entitled to conclude that the Republican movement wished to enter inclusive dialogue with their military capability intact. Mr McGuinness countered that Sinn Fein did not have a military capability and to suggest otherwise sought to obscure the fact that the Party had an absolute right to be included in all-party talks on foot of their electoral mandate. If HMG refused to accept this then the process could run into the sand.

27. In an attempt to advance what was becoming an increasingly sterile debate, Mr Thomas said that in the light of previous discussion the Government team had prepared a paper on arms. He offered to hand it over. Mr McGuinness said there was no point in this as Sinn Fein had no influence whatsoever over the IRA. The paper should be addressed to the IRA. Mr Leach pointed out that

C O N F I D E N T I A L

- 13 -

XD/R2/CP26760

C O N F I D E N T I A L

Sinn Fein had "influenced" the IRA in the run-up to their cessation of violence and Mr McGuinness agreed that Sinn Fein had made some contribution during a period of several years. But it was utterly wrong to suggest that the IRA's cessation of violence had been prompted by the political analysis they had been given by Gerry Adams. Mr Adams' analysis had been nothing more than a small contribution to the peace process. There was still an incredible amount of goodwill around and it was hard to believe the Prime Minister would allow it to dissipate over the arms issue. Mr Beeton asked if it would be helpful if HMG put forward ideas to assist Sinn Fein, at the right time, to offer the IRA advice on how the decommissioning of arms might be achieved. Once again Mr McGuinness dismissed this, stating that the IRA's guns had been silent for three months and that spoke for itself. In his opinion HMG lacked the political courage to drive the process forward by bringing all the Northern Ireland parties, and the Dublin Government, around the table. What this said to him was that the peace process was about to hit a brick wall because of British intransigence.

28. Mr Leach said he took a different view. This was that a statement by Sinn Fein, to the effect that progress on the question of arms would assist the peace process, would be immensely helpful. Mr McGuinness said there was no possibility whatsoever of Sinn Fein making such a statement; it was a military matter. Sinn Fein had only entered exploratory dialogue because they had every right to be included as a democratic party in inclusive peace talks. The question of IRA arms should not be on the agenda so the idea of discussing the matter in sub-committee format was fatuous.

29. Mr Thomas brought this part of the proceedings to an end by noting that Sinn Fein had made their position very clear, and that this would be reported to Ministers.

C O N F I D E N T I A L

- 14 -

XD/R2/CP26760

C O N F I D E N T I A L

Composition of delegation

30. Mr McGuinness said he had to repeat Sinn Fein's irritation that their delegation were talking to British civil servants when they should, as of right, be taking to Michael Ancram and Sir Patrick Mayhew. Mr Thomas said HMG had determined that dialogue should be with officials until Ministers decided otherwise. Mr McGuinness asked when this might be and Mr Thomas replied that he could not say, adding that failure to engage on the arms issue would certainly not hasten the day when Ministers became involved.

Future work plan

31. Mr Thomas said he saw a need for a specific work plan. Mr McGuinness said the next time the Sinn Fein team came to Parliament Buildings they hoped it would be to meet British Ministers. In this way HMG could show that they were serious about according Sinn Fein parity of esteem.

32. Mr Thomas said Sinn Fein may be labouring under a misapprehension that Ministers could discuss matters which officials could not. This was not so as the Government team were working under close Ministerial direction and had a wide remit.

Any other business

33. Mr Thomas thanked the Sinn Fein team for not disclosing publicly the names of the Government team following the first meeting.

34. Mr McManus mentioned three matters in the law and order field:

C O N F I D E N T I A L

- 15 -

XD/R2/CP26760

C O N F I D E N T I A L

- (i) Five Republican prisoners on the Working Out Scheme had refused to return to prison when the bus that came to collect them was late. They had been suspended from the Scheme and would not get Christmas Home Leave. In the circumstances, Sinn Fein thought this was most unfair.
- (ii) Sinn Fein were receiving alarming reports of the treatment of IRA prisoners in Belmarsh and Full Sutton prisons.
- (iii) Veteran Republican, Martin Meehan, had been arrested and severely beaten by the RUC the previous weekend. He was on a heart monitor. He had made a formal complaint which was being pursued by Inspector Burns of the RUC. This latest example of aggressive behaviour by policemen and soldiers during the fourteen weeks since the IRA ceasefire spoke volumes about HMG's commitment to the peace process.

35. Mr Thomas said that Mr Beeton would make enquiries about the first two matters and communicate with Ms O'Hanlon. As regards the alleged assault on Mr Meehan, as the formal complaints procedure was in train he could not properly comment. Mr Leach added that whilst there had been a very considerable reduction in security forces' activity, there was still an operational need for some patrolling and other preventive measures whilst armed robberies, punishment beatings and other such criminal activities continued. Mr McManus said Mr Leach's analysis was based on innuendo and anecdote. The fact was that there had been a total cessation of IRA activity.

36. Mr McGuinness said prisons issues were very emotive and central to the peace process. HMG could do much more to ease the burden on prisoners and their families. He said the Patrick McLaughlin case (in which compassionate home leave had not been

C O N F I D E N T I A L

- 16 -

XD/R2/CP26760

C O N F I D E N T I A L

granted while McLaughlin's mother was still alive, only for her funeral) had caused great resentment in Derry, and amongst the Nationalist community generally.

37. Mr Leach said similar points had been made about prisons issues by the representatives of the PUP and UDP that officials had met the previous Friday. For their part the officials had made absolutely clear the need for substantial progress on Loyalist arms too. He then gave the Sinn Fein team copies of HMG's opening statement at LXD.

38. At this point Sinn Fein asked for a short recess. When they returned after about ten minutes (in a somewhat sweeter mood than they had left) Mr Thomas said all that remained was to agree a press line. He expected to confirm that the meeting had taken place; that a further meeting had been arranged; that there had been further discussion of the opening statements and Sinn Fein's response; that the Government team had reiterated their view that arms were central to the process, whilst Sinn Fein had made it clear that it was not a matter for them and had declined to accept a paper on arms prepared by HMG. Nevertheless the meeting had been businesslike and constructive (Mr McGuinness suggested "forthright" instead of "businesslike" and Mr Thomas accepted this.)

39. Finally, Mr McGuinness asked if he and Ms O'Hanlon could meet Messrs Thomas and Beeton on an ad hoc basis should the need arise before the next scheduled XD meeting. Mr Thomas agreed but stressed that this could not take the form of secret meetings. That would be a mistake. Mr McGuinness said Sinn Fein believed it was essential for London and Dublin to act quickly to involve Sinn Fein in inclusive dialogue on the basis of their electoral mandate. And in what might just be taken as a conciliatory gesture, he repeated that Sinn Fein were totally committed to the peace process and to the complete removal of arms from the Irish political scene, adding that the latter topic was for consideration in substantive talks, not

C O N F I D E N T I A L

- 17 -

XD/R2/CP26760

C O N F I D E N T I A L

exploratory dialogue. Responding in an equally constructive vein, Mr Thomas said that HMG would like Sinn Fein to be involved in all-inclusive dialogue, but for the reasons that had been stated many times, the arms issue had to be addressed sooner rather than later.

Date of next meeting

40. It was agreed that the next meeting would take place at 11.30 am on Monday 16 January.

41. The meeting ended at 3.40 pm.

[signed CGM]

C G MACCABE
SH EXT 27085

C O N F I D E N T I A L

- 18 -

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TOWARDS A NEGOTIATED SETTLEMENT 2

"Sinn Fein considers the first meeting between us to have been a useful beginning in the bilateral dialogue which is a prelude to inclusive negotiations, the essential next stage of the developing peace process.

Your introductory submission outlines the areas which you regard as pertinent to this stage of the dialogue. The document which we presented to you at the meeting will similarly have informed you of the issues which we regard as pertinent.

Sinn Fein is concerned to ensure that the matters for discussion between us in these bilateral talks are resolved and do not therefore cause any further, unnecessary delay in the commencement of negotiation.

In this document (and in greater detail at this meeting) we would hope to deal with these issues and, in this way, to clear the way for the opening of inclusive negotiations.

I am sure that you, as much as we, recognise the enormity of the initiative taken by the Irish Republican Army on 31 August this year and of the unprecedented opportunity this offers for the resolution of the age old conflict between Ireland and Britain.

This initiative and the potential it has opened up has been universally recognised and welcomed. The Dublin and US governments have already responded by opening substantive dialogue, at the level of political representation, with Sinn Fein. Your government still refuses to engage on this basis. It is clear however that your government has the central responsibility in turning the potential

for a lasting settlement into a reality and we would urge you again to seize this opportunity and to move to the next stage of the peace process.

Each and every voter must have the right to equality of treatment, This is the democratic norm. In your document you say you wish to accord our party and our electorate equality of treatment. This statement is, however, totally at odds with the reality of your present position. It is entirely within your power to resolve this issue immediately. Present British government strategy is the only obstacle in this regard and we would urge you to immediately take the necessary measures to end the discrimination which we and our supporters experience. This in itself would contribute significantly to the building of trust and therefore to the peace process itself. Continued discrimination is unacceptable and can only call into question the sincerity of your approach to this process.

In this context of the ending of discrimination against those who vote for Sinn Fein and our representatives, we consider that the commencement of all party talks led by the two governments is a matter of practical arrangements and we believe that as these negotiations constitute the next and most urgent stage of the evolving peace process that we should move to this stage as soon as possible.

The British government should not attempt to use the Unionist parties as an excuse for excluding Sinn Fein from inclusive negotiations. The issue of the participation of other political parties in the negotiation process is one which is clearly beyond our control. We believe that your government should endeavour to persuade all parties to participate on the basis of equality. No party can, however, be given a veto over the involvement of Sinn Fein or of any other democratically mandated party.

British sovereignty over the six-counties, as with all of Ireland before partition, is self-evidently the inherent cause of political instability and conflict. The ending of British jurisdiction must, therefore, be addressed within the democratic context of the exercise of the right to national self-determination if the cause of instability and conflict is to be removed.

Since the core political issues are properly the subject of inclusive negotiations over which government officials have no mandate or authority we feel that it would, therefore, be diversionary to engage you in debate on these issues. The acknowledgement in your document that these issues need to be addressed and resolved in inclusive negotiations, with no issue excluded and no outcome predetermined, needs now to be matched by positive action to put these negotiations in place.

The issues which you regard as obstacles to Sinn Fein's participation in inclusive dialogue are matters over which Sinn Fein have no control. However, to assist your understanding and help move us forward, we are prepared to outline the Sinn Fein position on these matters.

In your opening statement you seek clarification on Sinn Fein's attitude to the use of violence.

Sinn Fein is not involved in violence, nor do we advocate the use of violence. In fact Sinn Fein as a political party, our members, including democratically elected representatives, and their families have consistently been the victims of violence inflicted by loyalist and by British forces.

Sinn Fein recognises that there is a conflict which has arisen from the failure to reach an acceptable political settlement based on democratic principles and that in the absence of such a political settlement that conflict will inevitably result. Rather than

supporting violence as you would suggest we do, Sinn Fein wishes to both remove the causes and tackle the consequences of conflict so that the conditions for a lasting peace can be created.

Our commitment to this position was underlined publicly by the Sinn Fein President Gerry Adams in a joint statement, issued with the Taoiseach, Albert Reynolds and the SDLP leader John Hume on 6th September 1994, which stated:

We are at the beginning of a new era in which we are totally committed to democratic and peaceful methods of resolving our political problems. We reiterate that our objective is an equitable and lasting agreement that can command the allegiance of all.

Your government's refusal to accept that this is the case is without foundation and is regarded by many as a tactical barrier to forward movement.

You seek to convince international opinion that you recognise and accept the democratic mandate of Sinn Fein and the democratic right of our electorate while, contradictorily, you assert that the continuation of this bilateral dialogue is dependant on the disposal of weapons. Sinn Fein does not have any weapons to dispose of. In fact, it is our often stated objective to see the removal of all guns, Irish and British, from Irish politics. The effective application, for the first time, of democratic principles and the achievement of a political settlement on this basis, is the only way to permanently remove conflict.

The peace process to be effective, therefore, needs to confront the reality that there are a large number of armed groups, British, loyalist and republican, involved in this conflict. The existence of all of these groups needs to be resolved by an effective demilitarisation process and as part of an overall political

settlement. The RUC needs to be disbanded and replaced by a police service which is acceptable and accountable to all our people. The British Army needs to be withdrawn and the consequences of the arming of the loyalist death squads by British military intelligence and of collusion with these death squads need to be dealt with.

You seek clarification also on the relationship of Sinn Fein to the IRA.

Sinn Fein is not the IRA. Sinn Fein does not speak for nor, in any way, determine the actions of the IRA. Sinn Fein is a separate and entirely different organisation, a reality recognised and publicly acknowledged by your government most directly following the banning of the UDA on August 10th 1992 when both Sir Patrick Mayhew and Michael Mates drew a clear distinction between Sinn Fein and the IRA.

Sinn Fein is an open and democratic political party with electoral support in both partitioned states in Ireland. We have elected officer boards at all levels of our party with the ultimate authority resting with our Ard Fheis (annual conference). Sinn Fein's objective is the establishment of an agreed, democratic, pluralist and non-sexist Ireland.

We are totally opposed to sectarianism and we have a range of policies on social and economic issues. Sinn Fein upholds the right to civil and religious liberty and we have argued for a new national constitution which would incorporate a Charter of Rights. For the last number of years, Sinn Fein's engagement in the Irish peace process has been our primary political function and it has been and remains a personal priority for Sinn Fein President Gerry Adams.

In this context Sinn Fein welcomed the recent complete cessation of all military operations by the IRA as a significant and substantial contribution to the achievement of peace. It is a matter of historical record that we played a major role in the development of

the Irish peace process. The loyalist death squads subsequently responded with a cessation of their activities. Up to now the British government and the forces under its command have failed to respond meaningfully to this new situation. British forces are now the only armed groups still engaged in military activity within the six county state. British Army and RUC activity has continued virtually unaltered. The RUC, the RIR and the British Army, continue to saturate nationalist areas where their presence is provocative, unnecessary and unacceptable.

The ending of conflict by all parties is clearly required if we are to set the stage for the achievement of peace through a negotiated settlement. In attempting to achieve this and in the interests of honest and constructive dialogue for this purpose there should, therefore, be no attempt to draw spurious distinctions between 'lawful' and 'unlawful' political violence.

It is clear that peace is not simply the absence of conflict. Rather it is the existence of conditions in which the causes of conflict have been eradicated and where justice, equality and democracy prevail; where agreed political structures and institutions are a substitute for political conflict; where diversity is recognised and democratically accommodated. This is the task which faces us all and the sooner we begin this work the sooner we can leave the divisions and mistrust of the past behind us.

In your opening statement you say that the fundamental issues "can be most satisfactorily addressed and resolved through inclusive political negotiations addressing a broad agenda across all the relevant relationships with no issue excluded and no outcome predetermined".

We would urge you to act on this statement and initiate these essential peace talks without further, unnecessary delay. As a democratically mandated political party exclusively committed to

peaceful methods Sinn Fein must, of course, be fully involved in these negotiations.

When do you intend to initiate, with the Dublin government, all party talks?

What format will these talks follow?

How will the various parties to the negotiations, including the British government, be represented?

Where will these talks take place?

What time-scale do you envisage for these talks?"

19 DECEMBER 1994