

From: THE PRIVATE SECRETARY
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Roderic Lyne Esq. CMG
Private Secretary to the
Prime Minister
10 Downing Street
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JAS/MR/42002
27 September 1993.

Dear Roderic,

JOINT DECLARATION INITIATIVE

It is, in my Secretary of State's view, clear that we shall need to consider carefully the next steps in respect of the Irish government/Hume Joint Declaration Initiative in the light of two developments: the Hume/Adams demarche at the weekend and the receipt, from the Irish side, of a new text (attached as JD.8). He suggests a discussion in the margins of NI Committee.

2. The Hume/Adams demarche expressly involves a report to the Irish government, partly, so Hume claims, to give HMG some cover: but the statement makes it clear that the "broad principles involved will be for wider consideration between the two governments". We can expect to hear from the Irish side once Hume delivers his report, though it seems this may not be until after his return from the USA. (It is not clear what text, if any, Hume/Adams will present.) The Hume/Adams statement in full is:

"Our discussions aimed at the creation of a peace process

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which would involve all parties have made considerable progress. We agreed to forward a report on the position reached to date to Dublin for consideration. We recognise that the broad principles involved will be for wider consideration between the two governments.

"Accordingly we have suspended detailed discussions for the time being in order to facilitate this. We are convinced from our discussions that a process can be designed to lead to agreement among the divided people of this island which will provide a solid basis for peace.

"Such a process would obviously be designed to ensure that any new agreement that might emerge respects the diversity of our different traditions and earns their allegiance and agreement."

3. When Sir Robin Butler last discussed these matters with Mr Nally it was agreed that there might be further exchanges between the two chairmen (O hUiginn/Thomas) of the Liaison Group which has been tasked, following the recent IGC, to prepare a joint assessment of an acceptable outcome from the (overt) Talks process. (This was reported in my Secretary of State's minute of 15 September.) The two chairmen met on Friday 24 September (and a full record of their discussion on the JDI is attached). While Thomas passed over a paper in preparation for the Liaison Group's forthcoming meeting on the Talks, O hUiginn presented JD.8. He explained that the Taoiseach remains focussed on this and that, without some sign that the British side are taking it seriously, may drag his feet on the Talks. He said that JD.8 had been approved and commended not only by the Taoiseach, but also by Hume; but that it had not been shown to the Provisionals and would not be in advance of our reaction. If this is right, the Hume/Adams demarche is presumably not founded

on this text. (O hUiginn referred to the possibility of a demarche as an unlikely future possibility from which the Irish government was strenuously seeking to dissuade Hume.)

4. It is not surprising that the Taoiseach should prefer this initiative to the Talks. It offers the prospect of a quick fix, with a starring role for the Irish government (though Hume is clearly intent on stealing its thunder); it would, or so it is claimed, deliver peace; and it does not involve the politically difficult exercise of a constitutional referendum on Articles 2 and 3.

5. The new text is a considerable improvement. (The attached Note for the Record contains some detailed points of analysis.) My Secretary of State believes, on the evidence of this, that a movement may be on foot which it would be wrong not to try to develop despite the unhelpful complications arising from the premature publicity of the Hume/Adams demarche. There are a number of factors:

(i) Whether the JDI scheme could be acceptable in principle: that is, a Joint Declaration in something like these terms, leading to the establishment by the Irish government of a "Permanent Irish Convention to consult and advise on the steps required to remove the barriers of distrust which at present divide the people of Ireland and which stand in the way of the exercise in common by them of self-determination on a basis of equality". HMG is given no direct role in respect of this Convention, save by virtue of being party to the Declaration in which the Irish government announces that it is being established;

(ii) whether the judgement of the Irish

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government/Hume that a text of this kind would be accepted by the Provisionals is right;

(iii) whether, in exchange for this, the Provisionals intend, and can deliver, a cessation of violence. We are told that this is what is on offer, but have no independent confirmation of it. (Our general judgement, however, is that if the PAC commit themselves to peace it will be because they are confident that it will hold; and that our judgement on this is unlikely to be better than their own. Their lives may depend on them getting it right.);

(iv) whether the Loyalist paramilitaries would respond by abandoning their own campaign, which they have always said is responsive to IRA terrorism. The crucial question is whether they would believe they had been sold down the river, and actually or prospectively abandoned by HMG. Properly construed, the Joint Declaration, if amended to be acceptable to HMG (paragraph 4 especially), should not involve that risk;

(v) whether the short term impact on the Talks process is acceptable. The initial impact will induce great suspicion, as Unionists (and, possibly, the Alliance Party) would retreat until reassured about HMG's intention. It would be inimical to round-table talks but in Michael Ancram's judgement it should not close off the private bilaterals which are now showing promise, provided the necessary revisions are made. (Early reactions to the Hume/Adams demarche seem consistent with this, though some of them evidently wrongly assume joint authority is being sought.) In the longer term, if peace held, the situation would be transformed to the good;

(vi) the effect on opinion in Great Britain. The achievement of peace, on terms consistent with HMG's

principles, would be received with considerable enthusiasm and relief. (By contrast there is some risk that HMG would be criticised if it became known that it had rejected an opportunity for peace on terms which the public might regard as entirely acceptable.);

(vii) the international response which is likely to be enthusiastic and supportive, even if the Irish government and/or John Hume make claim a greater share of any credit;

(viii) whether acceptable language can be found and whether HMG, which has so far refrained from offering text itself, should now be a little more forward.

6. My Secretary of State notes that in the nature of things we cannot be confident about the answers to all these questions. If the Joint Declaration, amended to suit our requirements, could secure peace, from Loyalists as well as Republicans (and without an enlarged splinter of non-IRA Republican terrorists), he believes it would be at an acceptable price.

7. In the House of Commons, in my Secretary of State's judgement, much would depend on the private handling of Mr Molyneux.

8. My Secretary of State believes that the broader elements of the Joint Declaration are now approaching what might prove acceptable. HMG is not being asked, for

example, to commit itself to withdrawal, save on the achievement of unity by consent to which we are already committed, or to accept the proposition that a united Ireland is the right solution, or to "join the ranks of the persuaders" or to talk to the Provisionals. The Provisionals, if the Irish government/Hume are right, will settle for less than the Labour Party's policy. The most problematic issue concerns the apparent need for some reference to "self-determination". My Secretary of State believes that the Irish government may need some discreet drafting help if they are to achieve something which would be acceptable to us and suggests that we now offer this. (I attach at Annex A for illustrative purposes, a version of paragraph 4 which my Secretary of State believes we could accept, subject to further study. It could be shown informally to the Irish side and my Secretary of State recommends this. Obviously there would only be point in doing this if the other elements of the JDI approach were regarded as acceptable in principle. The rest of the text would also need close attention.)

9. The future handling is complicated by the public focus following the Hume/Adams demarche. We do not know what their "report" to the Irish government will amount to. It seems likely that it can be no more than the public surfacing of the JDI scheme, perhaps based on one of the earlier texts. It is unlikely, in that event, to advance matters, and indeed the publicity has had the opposite effect. If we are to bring this exercise to fruition my Secretary of State believes we need to concentrate on this latest text (JD.8) from the Irish side and consider whether it can be amended in a way which could be acceptable to us.

10. The Anglo-Irish Liaison Group on the Talks will meet on Friday in Dublin and will provide a further opportunity for some exchange between its two heads in respect of the JDI. My Secretary of State suggests that that, or further discussion in the Butler/Nally group, may offer the best way forward.

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11. If we were to rebuff the JDI the Irish government would be less likely to work with us on Talks and we might well face later embarrassment. My Secretary of State believes we have, for the moment, little option but to respond to JD.8 as suggested in this letter, very carefully examining its proposals on their merits while at the same time diligently pursuing the Talks process.

12. My Secretary of State suggests that we should maintain, as he has done, the public line that there is no question of HMG engaging in talks or negotiations with those who use, support or threaten violence to advance their political objectives; but that any proposition we would naturally look with interest at anything the Irish government would show us - not to do so would be silly, but whether we would be impressed by it would be a different matter. (Some supplementary briefing is attached.)

13. I am sending a copy of this letter to Sir Robin Butler and to Sir David Gillmore.

Yours sincerely,

Jonathan Stephens

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JONATHAN STEPHENS

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