

OPERATION CHIFFON AND JOINT DECLARATION INITIATIVE

Position Paper - 23 November 1993

This paper sets out the present position on our efforts to secure a permanent end to violence by the Provisional IRA either through Operation CHIFFON or the Joint Declaration Initiative and assesses their respective potential for achieving our objective.

Background

2. The public clamour for peace, which began following the Hume/Adams démarche of 25 September, has continued, and if anything increased. Although the mood has also deepened the sense of uncertainty and insecurity in some parts of the community - reinforced, of course, by the atrocities in the Shankill Road and at Greysteel - it has continued to develop momentum and there is now a sense of expectation centred on the efforts of the two Governments. The Prime Minister's and Taoiseach's Joint Statement in Brussels on 29 October, following as it did Dick Spring's Dail speech in which he enumerated his six principles, played a large part in shifting the focus from Hume/Adams towards the work which the two Governments would continue in the context of the political talks process. However, the following week saw some awkward divergences, both in private and in public, between the positions of the British and Irish Governments.

3. Privately the Irish tabled a new draft of the Joint Declaration (JD13), and publicly the Taoiseach talked about the priority of securing peace in a way that implied its separation from the quest for a political settlement. At the same time it

appeared that Irish officials in the Liaison Group were dragging their feet in producing a draft framework document dealing with the Talks Strand III issues which had been promised at a meeting of the Anglo-Irish IGC. Eventually it became clear that we could not expect progress on that front while the Irish believed we remained negative on the Joint Declaration. One interpretation of this was that the Taoiseach felt himself under considerable pressure from Irish public opinion, a feeling which can only have been increased by his exposure to the heady green draughts of the Fianna Fail Ard Fheis during the weekend of 6 and 7 November.

4. When the Irish handed over JD13 on 9 November they indicated that it had been prepared incorporating some amendments suggested by Archbishop Eames (with their understanding that these had the acquiescence of Mr Molyneux). The Secretary of State for Northern Ireland saw Dr Eames who subsequently had another conversation with the Taoiseach and brought a new text (JD14, attached at Annex B) to the Prime Minister on 18 November. At that meeting the Archbishop said that he hoped to produce a further text in concert with Mr Molyneux, but this has not been forthcoming and Mr Molyneux appears reluctant to commit himself further to this enterprise, especially following the leak last Friday to the Irish Press of an Irish draft Liaison Group paper.

5. In the meantime, the Prime Minister's speeches at the Guildhall and in the Queens Speech Debate were welcomed in Dublin. The earlier divergences of public position between the two Governments began to close. Privately the Irish Government were reassured that we continued to take the Joint Declaration seriously, although, as they were aware, we had serious doubts about it.

6. Nevertheless, the Irish continue to conduct a vigorous public relations and diplomatic offensive in favour of a declaration at the forthcoming Dublin Summit. Most recently the Taoiseach appeared on BBC TV's Breakfast with Frost on Sunday morning when

he continued to argue that there was a "window of opportunity" for peace which would not last indefinitely. He appeared to indicate that the window would close early in the New Year, but did put some further distance between himself and Hume/Adams by saying that "anybody who approaches the problem of Northern Ireland from one side or another ... is doomed to failure". The Taoiseach also dealt with the leak to the Irish Press saying that the leaked draft had no status and had not been agreed by himself or Ministers. But the presumption that the document preserved elements of Hume/Adams, and the discovery that some of its language was used by Dick Spring in a speech in the United States last week, fuelled Unionist fears that a new Anglo-Irish Agreement was being planned under the counter by the two Governments .

7. Developments on CHIFFON have been more limited. Following the PAC's approach through the link on 2 November and our response of 5 November we have had reports of a major debate within the PAC. The argument, still apparently unresolved, appears to centre on the sense that the "Irish" route to peace, ie Hume/Adams and the Taoiseach, offers more than the "British" one, ie CHIFFON. Part of the calculus is probably that what is on offer through CHIFFON could be cashed anyway after a cessation produced by Hume/Adams, and that the Joint Declaration would demand less of the Provisionals - essentially they could justify a cessation to their volunteers as a reaction to movement by the British and Irish Governments.

8. A side product of this internal debate was Gerry Adams' statement that there had been meetings between British officials and senior Provisionals (Martin McGuinness was one such figure identified in some reports). Some journalists have claimed to have documentary evidence for these contacts.

9. The balance of advantage for HMG between CHIFFON and the Joint Declaration is also difficult to calculate. Like the PAC, we may conclude that there would come a point when both streams would run

together, and our planning will account for those elements of either approach which would need to be picked up following a cessation. The PAC's delay in responding to our 5 November message has already undermined the envisaged timescale, effectively halving the fire-break period between the cessation and entry into exploratory dialogue after Parliament had reassembled in the New Year. However, although this question may need to be readdressed, for the present CHIFFON is dormant and the Joint Declaration approach is the only one holding out a reasonable prospect of securing peace.

JDI - Two Approaches

10. Tactically there are two ways of pursuing the Joint Declaration Initiative. The first is to continue to work with the Irish on the current text of the Joint Declaration (JD14). The second is to produce a new British Version of the Declaration in the form of a draft communiqué for the Dublin Summit. Both approaches have merits and demerits.

- (a) JD14. The main advantage in following through the existing set of proposals currently embodied in JD14 is the degree to which they have already been brokered with several of the key players by the Irish. The essential consideration has always been determining whether a Joint Declaration would secure peace and the JD approach puts the onus for that squarely on the Taoiseach's shoulders. To the extent that Dr Eames (and Mr Molyneaux) are now familiar with the text there is a rational basis for believing that Protestant and Unionist reaction would be manageable.

Nevertheless, some of its strengths are also its weaknesses. The "taint" of Hume/Adams is impossible to remove entirely and this may make reactions to the Declaration more stormy than the text itself would

warrant. The weekend Joint Statement from Hume and Adams has emphasised the difficulty in separating their initiative from this approach. Furthermore, it remains unclear whether, despite their enthusiasm for Hume/Adams, the Provisionals have agreed JD14. Some of their public statements appear to hark back to earlier versions which included a timescale for British withdrawal, acknowledgement by HMG of Irish unity as the goal, and HMG joining the ranks of those persuading Unionists to accept that goal.

Another factor against JD14 is its apparent separation and independence from the talks process which both conflicts with our public position that peace and the talks are indissoluble and, would make the practical progress from peace (even if it was secured unequivocally) into an agreed political settlement quite difficult.

- (b) A British Version. At Annex C is a draft British Version of a Declaration to be made at the forthcoming Dublin Summit (BV: draft of 18 November). This incorporates much of JD14 (thus preserving all Eames' drafting) but allows us in addition to say things which the Joint Declaration currently does not allow. The main difference from the JD is the balanced framework of the British version which includes explicitly the necessary guarantees to the people of Northern Ireland and is drafted in such a way as to make it clearly compatible with the talks process. Another advantage is the additional distance between this version and the Hume/Adams initiative.

Although the text does not ostensibly ask anything more of the Provisionals than does JD14, nor does it give them significantly less, it is possible - and the

Taoiseach may say this - that it would reduce the prospect of the Provisionals signing up to it. It is a difficulty that we cannot test our version on the Provisionals in advance. This produces a conundrum where on the one hand we would probably not want to use such forward language if there was not a reasonably certain prospect for its securing a permanent cessation of violence, but on the other we could only make that assessment by testing it out on those with whom we will not speak.

It should, however, be possible to put such a draft to the Irish on the basis, similar to the position we have taken on the Joint Declaration, that its language would only be available if the Taoiseach had given his prior guarantee that in his view it would produce a renunciation of violence by the Provisionals.

Whether a Declaration is made on the lines of the British Version, or a decision is made to publish it as part of a strategy for managing a failure to agree, the draft at Annex C provides an eminently defensible position underlining the symmetry between our private and public positions, and the continuity between what we were proposing as a Declaration and our efforts to re-engage others in the Talks Process.

11. There is in fact a third approach to the JD which is to table a less forward (or more Unionist) draft designed to protect HMG's position without seeking to embody any of the rhetorical devices aimed at bringing the Provisionals on board. Even so this route to disengagement from the JD would not be without risk. It would be likely to produce a serious disagreement with the Irish, especially if they saw it as an obvious spoiler. Nonetheless it remains a strategy which could be consistent with a subsequent démarche giving focus and direction, possibly through publication still further public expectation of a cessation and hence pressure on them.

of a White Paper containing HMG's own proposals, to the Political Talks process. Naturally such a step could equally be taken following the making of a Joint Declaration based either on JD14 or on the British Version.

12. The arguments are finely balanced, but this paper recommends that Option (b) be adopted, and the draft British Version be tabled with the Irish as a basis for a communiqué at the forthcoming Dublin Summit. This course is recommended as combining language with a reasonable prospect for securing a cessation of violence from the Provisionals with a context which protects HMG's position and points the way forward towards the political talks. It is for consideration whether any such text should first be tried on Mr Molyneaux, or some other appropriate judge of Unionist reaction.

Other Issues

13. There are a number of handling issues which also need to be addressed. Last weekend's new Hume/Adams statement demonstrated that John Hume himself will need dealing with carefully, and this needs to be discussed with the Irish. It would be most unfortunate - and quite possibly fatal to the Initiative - if Hume were given any role in brokering the text with the Provisionals or in taking a credit for a Declaration, whether JD14 or the British Version, made in Dublin.

14. Timing of the Summit itself presents a problem. The previously proposed date of 3 December does not allow much time to work on the text of the Declaration with the Irish, especially if we decide to table the British Version. A date later in December also has two virtues vis-à-vis the Provisionals. First, is the necessity for the Taoiseach to ascertain whether the agreed Declaration will produce a renunciation of violence. Second, is the possibly useful conjunction of the Declaration and the Provisionals' customary Christmas ceasefire which could increase still further public expectation of a cessation and hence pressure on them.

The Run-up to the Summit

15. There will be pressures on both Governments to respond to fairly intensive media interrogation about the prospects for the Summit. It is reasonably clear that we cannot count on complete Irish discretion in these matters, and, although it would be a mistake to contribute to the atmosphere of speculation by counter-briefing or leaking of our own, once a Declaration had been agreed it would be possible to release in London - probably on the eve of the Summit itself - some of the language to be attributed to the British Government in the Communiqué. This, together with other elements of a handling plan will require further consideration in order to minimise any adverse short-term impact in Northern Ireland from the making of the Declaration.

4. The Prime Minister and the Taoiseach recalled that in their joint statement of 29 October, issued in Brussels, they had:

agreed that the two Governments must continue to work together in their own terms on a framework for peace, stability and reconciliation, consistent with their international obligations and their wider responsibilities to both communities;

reaffirmed their shared attitude to political violence; urged those claiming a serious interest in advancing the cause of peace in Ireland to renounce for good the use of, or support for, violence; and made it clear that such a renunciation, if made and sufficiently demonstrated, would meet with a response from the two Governments;

renewed their support for the objectives of the talks process and agreed that the two Governments would continue their discussions to provide a framework to carry the process forward.