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FROM: D FELL
14 JANUARY 1994

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17 JAN 1994
N.I.O. LONDON

cc PS/SOS (B&L) - B
PS/Michael Ancram (B,L&DENI) - B
Mr Thomas - B
Mr Bell - B
Mr Deverell - B
Mr Watkins - B
Mr Williams - B
Mr Wood (B&L) - B
Mr Archer, RID - B
HMA, Dublin - B

PUS (B&L) - B

JD: SINN FEIN PRESS RELEASE

1. I was struck by Adams' lengthy comments in the Sinn Fein press release yesterday. They are capable of being read in a downbeat way. But they may also have the potential to be given a more positive interpretation (see for example today's Irish News editorial). Given the importance of what hangs on Sinn Fein's response and our treatment of it, I would like to see that potential maximised. In particular, Adams' response may offer a chance to inject fresh momentum into the current process, and I suggest we should build on that if we possibly can, without diluting our present policy, or diminishing the firmness of our stance. A good start has been made, if I may say so, in the briefing that went to Downing Street last night for the Hume meeting (and I would be surprised if that meeting had not touched on some of the points which follow).

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2. Adams' comments include various references to being open to persuasion that the JD provides a basis for a PIRA cessation, confidence that PIRA would accept proposals if they contained certain principles and "a process", and recognition that the JD is perceived in Republican circles as a fundamental shift in policy. It may be that Adams is doing no more than stringing us along, while holding centre stage politically (to a degree disproportionate with his political standing) without any intention or expectation that the IRA will deliver a cessation of violence. But it is also just possible that he has genuine problems of interpretation, that he does need help, and, if given it, could deliver a major prize.
3. I attach an annex seeking to bring out the extent to which the essential points of Adams' response could broadly be reconciled with the JD; doubtless you and others have undertaken a similar analysis and will be able to refine this first shot at it further. While I have consciously sought to emphasise the areas of consistency and convergence rather than possible tensions, the points of overlap are, I think, important and could be built upon. Likewise other aspects of the Adams' press release show a misunderstanding (whether deliberate or not) of aspects of the JD and statements which followed it, which, if left uncorrected, could damage remaining chances of the Declaration being found to be a basis for cessation of violence and the start of a constructive process.
4. To build upon the positive points and correct misapprehensions raises the general question of whether to clarify or not. Most rational observers - especially in Great Britain - would regard it as entirely reasonable that, against a background of continued systematic PIRA violence, the Prime Minister should continue to stand firm

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in his resolve not to offer clarification on the Declaration to Adams, lest it could be seen as a concession, or the start of a process of creeping negotiation.

5. As viewed from Belfast, however, - or more precisely among nationalists, some non-party unionists, and sections of the media here - the perception is that we may be losing both the initiative and the moral high ground, by dint of refusal to offer clarification; and that against a background where:

- (i) the Irish Government (and separately those like Lenihan perceived as close to it), have been finding ways to offer clarification and the Taoiseach has publicly committed to continuing to do so;
- (ii) we are perceived to have already given public clarification to Unionists (eg, about what is not in the Declaration);
- (iii) our position now is being contrasted with our stance some months ago when we were using a channel of communications to the Provisional movement; and
- (iv) Hume is pressing the Prime Minister to clarify (and presumably will have continued to do so this afternoon).

6. My fear, shared by other colleagues here, is that we may be judged as losing the prize of peace, and for reasons which are not (despite the savagery of PIRA's attacks this week) wholly understood. If that is so, and if it is the case, as I (probably too generously) believe, that Adams' statement can be read as an invitation to help him simply

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through explanation and correction, then I consider that we should review urgently and carefully the options before us. I suggest that, provided we do not move from our existing policies, as contained in the Declaration and elsewhere, and provided we do not cross the threshold from clarification into negotiation, there is relatively little to lose, and much to gain, by finding a way, or ways, to demonstrate to the world at large that HMG is not going to risk being accused of failing to bring a lasting peace to Northern Ireland, by dint of a stubborn refusal to re-state its own stand for the removal of doubt, and for the benefit of clarity.

7. Among the options I see before us are the following:-

- (i) continue to refuse to clarify or interpret the JD as such, other than repeat the text without gloss;
- (ii) do correct the (perhaps deliberate) inaccuracies in Adams' assertions about the JD;
- (iii) do find a way of picking up Adams on the message in his press release that if the JD had contained certain principles (set out at page 7), he could have gone to the IRA to ask them to stop;
- (iv) do find subtle ways to make interpretations ("No need to clarify because it is obvious that it means " or "Seamus Mallon got it right when he said");
- (v) do seek to deploy John Hume by encouraging him to argue that Adams' description of the main principles in his dialogue with Hume is largely met by the JD; we could then find means of confirming that we agree with Hume;

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(vi) do use either the Debate in the House on 21 January (which has pitfalls) or the Secretary of State's speech to the Trinity Association (a real possibility) to pick up some of the points in a balanced way;

(vii) do take advantage of opportunities for the Prime Minister as well as the Secretary of State to signal our continuing and genuine commitment to the peace process.

8. I myself believe that any of the options (ii) to (vii), perhaps in combination, could be pursued without unravelling the Declaration's balance or risking a beginning of negotiation. On the other hand if we continue to stick rigidly with option (i), I fear that we put at risk much of the investment made in the Declaration itself: not only might we not attain the primary purpose, but we may well be blamed by nationalists, including eventually the Irish Government, and by US and other opinion, for creating new and unnecessary blockages. We are already seeing the beginning of this - see again today's Irish News editorial.

9. I should add that I fully recognise that, whatever we do in the period ahead to carry the process forward, it will be crucial that we do not depart from the underlying message that the Joint Declaration is a balanced document, seeking to address the concerns of both Unionists and Nationalists, in a way which is intended to threaten neither tradition, within the context of current political realities.

[Signed David Fell]

DAVID FELL

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