

JOINT DECLARATION INITIATIVE  
PRIME MINISTER'S MEETING: ISSUES

1. Should HMG table its own version of the JD to the Irish? Or assent to their draft (JD13), as amended?
2. If it does not, it will risk losing the Irish Government, the Talks process and a chance to test whether the Provisionals are seriously interested in a cessation on anything like reasonable terms.
3. If it does table a paper, or assent to an existing text, it must be able to stand over it. (The Irish side already accuse us of blowing hot and cold; if we come forward with a text we cannot withdraw it later.) That means we must be sure that we have Mr Molyneaux' acquiescence or that we are prepared to proceed without it.
4. Arguments against tabling a paper might include: any paper which is taken seriously will involve HMG adopting forward language, of relevance to the Talks process and constitutional balance, which it will in practice be difficult to retreat from. As such it will risk provoking the Unionists and loyalists for uncertain purposes. (At best it secures peace; but a worst case scenario involves compromising our position without even getting the Irish side to take our effort seriously. They have said that the constitutional guarantee, a sine qua non for us, would in itself render the document unsaleable.)
5. Against this, tabling a paper is probably the best way of either securing peace or smoking out the Provisionals, exposing that their eirenic pretensions are bogus, and bringing the Irish Government and Hume back to the Talks process. (Reynolds has already been brought to say that peace cannot be a precondition to political development.)

6. If we table a paper, what should it be? Possibilities include:
- (i) JD13 as amended, perhaps in the light of Eames' activities, or by us (eg to insert the constitutional guarantee and something more forward on Articles 2 and 3);
  - (ii) our revised text, incorporating most of the language of JD13 but putting it in the form of a communiqué with an attached statement on constitutional issues (Annex B to Mr Stephens' letter of 12 November);
  - (iii) an entirely new text written from a British perspective.

Mr Stephens' letter of 12 November put the case against (iii): it would be unlikely to produce an agreed position with the Irish Government in the time available. Given the strength of Mr Molyneaux' reaction to JD12, it is arguable that something which looks different, especially in the passages to be attributed to the British Prime Minister, would be better. HMG would also be on stronger ground when the Declaration was made or when it leaked. This suggests going with Annex B.

7. If we table Annex B on what terms should it be? Specifically, should it be on the basis that it is a text we are happy to deploy on 3 December in any event or should our assent be made dependent on an assurance from the Taoiseach that it would secure peace? If the former, then we risk adopting a forward position for no very obvious gain. If the latter, we are expressly negotiating with the Provisionals, through the Irish Government. (This circle might be squared if it was agreed with the Irish side that the text was to be put to the Provisionals as non-negotiable, take it or leave it.)

8. There is not a great deal of time to finalise a text with the Irish side after the meeting next Tuesday (and Molyneaux might also need to be seen in that period), and for the Irish to put a text to the Provisionals. This may suggest accepting the idea of delaying the Summit until 13 December.

Recommendation

9. I suggest that our contingent gameplan might be:

- (i) to secure Mr Molyneaux' acquiescence to Annex B;
- (ii) to give it to the Irish side on the basis that we are prepared to negotiate with them on its terms;
- (iii) to suggest that the resulting text could be put by them to the Provisionals as non-negotiable text, which they either accept as a basis for renunciation of violence or not;
- (iv) if, but only if, the Taoiseach gives an assurance that making the Statement will bring peace, the Joint Declaration is made, on 13 December if processed in time;
- (v) if the Taoiseach is unable to give this assurance, we seek from the Irish side and Hume a rededication to the Talks which is real and not merely rhetorical.