

'SF recognises that its request may not be reasonable. . .'

MEMORANDUM DATE: 17 April, 1997 TO: MMcL [Mitchel McLaughlin]

FROM: Brendan O'Leary

We discussed a range of matters. The substance of the proposals, as put by you, is outlined below on the basis of my memory. Please correct any misunderstandings that have doubtless occurred, suggest alternative phrasings, and indeed make any response of any kind deemed fit. A corrected version of this memorandum can then be used for the course of action specified in paragraph C.

The following is the position of the Sinn Féin leadership as represented to BO'L by MMcL.

A. Sinn Féin's leadership wants to enable conversations with an incoming Labour Government – through confidential third-party contacts if necessary. The objective of these discussions is to facilitate (i) the renewal of the IRA ceasefire as rapidly as possible; and (ii) the commencement of substantive inter-party talks, on a named date, that include Sinn Féin on the same basis as other parties with a significant electoral mandate.

B. Such third-parties, who are neither Sinn Féin representatives or sympathizers, are correct to say that the present position of Sinn Féin is as follows: (1) Sinn Féin strongly wishes to see a renewal of the IRA ceasefire – as much as any other party. Sinn Féin's leadership believes that in the right circumstances it can help bring that about – the circumstances being similar to those outlined by the Sinn Féin President in his February article in *The Irish Times*. John Major refused to help deliver these conditions, because he was unable to do so, and in Sinn Féin's judgement, because he did not want to do so.

The circumstances outlined by the Sinn Féin President include an IRA ceasefire, the immediate invitation of Sinn Féin to all-party talks, and a commitment by the British Government to ensure that the talks would be meaningful. It is recognized by Sinn Féin's leadership that its request for the Government to name a date for the ending of the talks may not be considered reasonable, but it wishes it to be understood that this request arises from its fear that without such a measure, or equivalent measures, the talks might easily be made meaningless by filibustering actions by other parties.

(2) Sinn Féin wishes to be in all-party talks, as and when they resume. When that happens Sinn Féin will publicly and officially endorse the Mitchell principles, and do its best to ensure that the entirety of the International Body's proposals for decommissioning and other confidence-building measures are met. It expects all other parties to be held to the same standards. Sinn Féin's leadership wishes to have significant reassurances that such talks will lead to meaningful negotiations, and that a Labour Government would not permit interminable and unproductive discussions to be deliberately created by any party at the negotiations. Sinn Féin's leadership will further specify the details of such reassurances upon request, but it wishes to know whether the Labour Government considers the Framework Documents of February 1995, in their entirety, as its presently preferred approach to a settlement. Sinn Féin also wishes to know that a Labour Government will be engaged in contingency-planning to protect the prospective negotiations from all reasonable foreseeable difficulties, and be prepared to come forward with its own proposals if such negotiations, unfortunately stall, or break down.

(3) Sinn Féin wishes to know that a Labour Government will take confidence-building steps, irrespective of the outcome of inter-party negotiations.

In particular:

(i) Sinn Féin wishes to know that the Labour Government will not permit a repeat of the events of last

summer's marching season, and will immediately implement the North Report; and, pending legislation recommended by North, will ensure that the functional equivalent of the Report is carried through. Were a repeat of last summer's events to occur, Sinn Féin's leadership anticipates grave difficulties with republican hardliners. The Sinn Féin leadership appreciates that the renewal of the IRA ceasefire just before the summer marching season might increase unionist and loyalist paranoia, but if Sinn Féin manages to persuade the IRA to renew its ceasefire it cannot afford a 'Drumcree 3'. Indeed, if it was judged essential by a Labour Government, Sinn Féin's leadership would consider, if asked, strongly recommending that the IRA immediately stop all activities likely to lead to loss of life but that it consider postponing its official and total cease-fire until the marching season was over. But Sinn Féin's leadership stresses that this request might not receive a favourable response, and wants to make it emphatically clear that like all other parties it would prefer an immediate ceasefire and immediate talks, and that this policy, or any alternative, could work only if the Government prevented unwanted intrusions by Orange Order parades in nationalist districts.

(ii) Sinn Féin's leadership wishes to know whether Labour will publicly signal action that indicates its willingness to preside over the reform and reconstruction of Northern Ireland, by stressing, for example, its commitment to the agenda of the joint Framework document, specified in Labour's Manifesto.

(iii) Sinn Féin's leadership wishes to know that an incoming Government intends to create acceptable forms of policing, and wants to know what action, if any, can be expected in the short run on this matter.

(4) Sinn Féin's leadership's determination to see an end to armed conflict, on all sides, is absolute.

Sinn Féin's leadership declares that it is not the IRA, but Sinn Féin's leadership believes it can and will be in a position to facilitate the delivery of an IRA ceasefire. It stresses, however, that maintaining the ceasefire and producing a successful political settlement may be as difficult as getting an IRA ceasefire.

In particular, it believes that the incoming Government needs to be aware of the following:

(i) Sinn Féin's leadership cannot credibly endure any delays on entry into talks following a credible ceasefire. At all costs it wishes to avoid what occurred between August 1994 and January 1996.

(ii) Sinn Féin's leadership believes that any new ceasefire can be delivered by the IRA on the same basis as the August 1994 ceasefire. Further measures will be more difficult, but not impossible. Sinn Féin's leadership believes that the IRA can reasonably be expected to deliver an end to 'targeting' and totally to cease all military operations and preparations. However, Sinn Féin's leadership believes that an incoming Government is likely to be in receipt of sometimes mistaken, and sometimes deliberately false, intelligence on alleged IRA activities – including activities designed to prevent persons from being arrested for scheduled offences. Appropriate co-ordinating mechanisms would therefore need to be rapidly established, in Sinn Féin's view, to monitor and maintain the much needed cease-fires.

(iii) Sinn Féin's leadership believes that it will be infeasible to demand 'an end to all punishment beatings' before the satisfactory resolution of the issue of acceptable policing in nationalist districts. Sinn Féin's leadership strongly regrets the existence of punishment beatings, says so, and is prepared to say so regularly, and it will do what it can to inhibit and minimise their occurrence, but it emphasizes that it cannot be expected, in effect, to endorse an unreformed RUC. Sinn Féin's leadership believes that, contrary to media and other representations, the calls for punishment beatings originate within republican and loyalist districts – they are in Sinn Féin's view a symptom of the problems not their causes, present but not permanent facts of life, further evidence in its view of the need for a comprehensive political settlement.

(5) Sinn Féin's leadership reiterates that its party is a democratic party with a mandate, like other elected parties in Ireland, North and South. Sinn Féin declares that it wishes to see a peaceful settlement in Ireland, brought about through negotiation, on the basis of parity of esteem for all parties with significant electoral

mandates. Sinn Féin's leadership wishes to see an end to its exclusion – and the people who vote for it – from political participation and negotiations. Sinn Féin's leadership considers its continual exclusion to be biased, hypocritical and discriminatory, especially in light of numerous breaches of their ceasefires by the loyalist paramilitaries.

Lastly, Sinn Féin's leadership wishes to emphasise that it will work with the elected Governments in the UK and the Republic of Ireland to facilitate conflict resolution and a political settlement; and it will listen and respond constructively to any proposals which have the same objectives. On this basis Sinn Féin's leadership makes it plain that it is requesting the author of this memorandum of a discussion to act as a third-party. It understands that he is presently a member of no political party, is neither a Sinn Féin supporter nor sympathizer, is acting on behalf of no political party or Government, and has no agenda of his own, other than to facilitate constructive dialogue. Moreover, nothing in this memorandum should be read as the third party's personal views – they are entirely a record of Sinn Féin's views. Sinn Féin's leadership also makes it plain that it may pursue access to the incoming Labour Government through other channels, but that the author of this memorandum does not know the details of such contacts. The author of this memorandum is willing to act as a third party provided that he is not given any information that is inconsistent with that passed through any other third parties, and that he can use a signed copy of this memorandum as evidence of his bona fides. He promises to act entirely confidentially. Given that he is frequently asked to comment on Irish matters by the written and broadcasting media he naturally undertakes not to discuss this role unless subsequently relieved of this duty by both parties to any discussions that he may facilitate. He will continue to comment on public affairs, but will not use or abuse any of the information gathered in his capacity as a third party to affect his commentary.

Brendan O'Leary is Professor of Political Science and chair of the Department of Government at the London School of Economics and Political Science. O'Leary specialises in nationalism and ethnic conflict, and has written extensively on Northern Ireland. He has advised the British and US governments on the Irish peace process and has also helped the European Union to facilitate conflict resolution in Macedonia.

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