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**Transcript of telephone conversation
between the Taoiseach and John Major
on Thursday 23rd of November, 1995.**

Taoiseach:

Hello.

John Major:

John good morning.

Taoiseach:

Good morning John how are you.

John Major:

I am fine John.

Taoiseach:

I hope you got my letter last night. I am trying to, I think we should try and come to, as close to a conclusion as we can on this matter of how to deal with the Washington 3 test. I think there are ways of dealing with it that preserve respective positions, but allow for some dynamic and purchase of space, and that essentially was what we were trying to achieve all along and I think if we spend a little time on it and maybe not too long this morning we should be able to reach a point where we can deal with that, and I think once the other, once that's dealt with the other things, can fall, will fall probably fairly easily into place with a little bit of work we should be able to meet. I think we probably, my own view is we haven't had a serious personal conversation at any length about the matter since Cannes. It's all been either phone calls or snatched conversations here and there, and even if we can't resolve the matter although I believe we will resolve it, we probably should meet anyway.

John Major:

Well lets see whether we can resolve it John. I had a look overnight at what you had to say, and I am grateful for the efforts you made. I think that's helpful. We have got differences in our view as you indicated in your letter. We have got the same objective, but we take a different view of what can be done and when as a means to reaching that objective, and I think that is very clear. I don't see a great deal of point in fudging that difference and I draw the

conclusion from your letter that you realise that neither of us can afford to dance on the head of a pin. The things that are patently inaccurate, and it would not last a moment such light examination. But I don't think that's going to necessarily stand in the way of what we have in mind. I hope that what we show will create a better atmosphere to resolve the problems that still lie between us. If I can say one thing at the beginning. I was a bit concerned, I won't labour the point, but I was a bit concerned in your letter overnight at the suggestions that we were death to the views of others and not prepared to listen to others. I don't believe that that is a justifiable criticism, and I think if you and I begin to view one another in that light I think a wedge is going to be driven between us and if that happens we can kiss goodbye to any progress I think. I was a little concerned if that was a considered opinion of yours in the letter overnight and I very much hope that it wasn't a considered opinion. But I don't propose to labour that, except simply to say there are people who would be very keen to drive us apart, there is no doubt about that, and it's certainly part of the negotiating tactics of at least one of the parties to this particular problem and if they succeed then we all go backwards, a lot. Let me turn to happier and more substantive matters.

Taoiseach:

Yes.

John Major:

Because I don't think we should argue ...

Taoiseach:

I think just for the sake of personal relations I would like to say that what I was referring to there is what might be perceived as your Government's position I don't think for one moment that that is your position or that it ever would be your approach to dealing with any matter. But I think there is the risk that things might be seen, as I suggested, in the second paragraph or third paragraph of my letter does exist, and I think it was not inappropriate for me to draw it to your attention. But it's not, I would not wish to convey the view that that is my opinion of your approach to this or any other matter, or would ever be in the future.

John Major:

All I can say to that John is if that letter was to find its way with that wording into the public domain then I think it would cause immense difficulties in terms of what I would be able to persuade people to do. I think it would be extremely difficult. But anyhow it's a private letter and I hope we can talk about it when we meet.

Taoiseach:

Yes.

John Major:

Now, let me see if I can set out our position and see where we are. I tried to explain the other day, though I know you didn't agree with what I said. I tried to explain in our conversation the other day why we can't include Washington 3 and the remit of the body of the international body. I can't do that, allow me, if that isn't an irresolvable difference between us then we won't be able to reach agreement sadly on that point. On the other hand I don't think either the communique upon which we will clearly need to have some discussions or our officials will, nor the question and answer brief that I sent you excludes Sinn Fein or indeed anybody else from saying whatever they like in the preparatory talks, or saying whatever they like to the international body, and that point is of course clear in the communique that we tried also to make it clear in our questions and answers. If anybody argues or asks us publicly whether the international body has been asked to make recommendations about Washington 3 we should have to say no they haven't, that the counter point to that is that we are not seeking to constrain what Sinn Fein or anybody else chooses to say. They can say what they like on the issue of Washington 3, or frankly on the issues of everything, including how many black holes there, are in space. So long as they don't pretend that it is part of the commissions mandate. I can't control what they say to the commission, I wouldn't seek to control what the commission listen to, and we are not trying to do either of those things, not control what they say, or what the commission listens to. But we cannot give the commission a remit of that. Now I would have thought that we could have accepted that, it isn't perfect, it would be better if our views allowed it completely on this issue, but they don't, that point of difference will be clear to people. I think we should just acknowledge it and say yes there is a point of difference there, we will have to face that later. We have had differences in the past, we have moved forward one way or another, we have resolved those differences. We need to make what progress we can then deal with the problems that arise. But at this moment, sorry when I say at this moment that

presupposes a complete change of (volte-face) at a later stage and it's purely tactical-it isn't. Let me put it this way I can't go any further than that, and I mustn't signal and will not signal any undesirable fudge because I think it would be blown up in the first questions and answers that we had after any summit and I very much hope that we will be able to proceed. I share your view about the importance of that. On the questions and answers thank you for sending some revises, there is much in it with which I agree, there are some things in it that I would wish to change. But what I am not sure, but I make a general point firstly. I don't think the answers should try and re interpret the communique. I think that just leaves us in a confusing position. The communique should speak for itself and we shouldn't try and embroider it. I think we should be clear about the answers to the questions that subevidently arise from the communique. What I am not clear about John is when I wrote to you the other day, my letter in mid week, I sent over after a lot of consideration what we thought was a fairly clear set of questions and answers and what I am not sure about is what is the problem in those questions and answers that has occasioned you to send a revised version across to me. Because unless I am missing something - I drafted those with a view - with officials - I can't claim to have sat down and written them all myself, but I took a very deep interest in them. I can't myself see what problem we have set for you or I in those draft answers, indeed they were drafted so that they would not create a problem for either of us. They were certainly not drafted in any sense to provide a trap or difficulty for you, and although of course if you have got some structural problem we can go through your alternatives. I am not immediately clear what the problem is with the Q & A's that we drafted.

Taoiseach:

Well I think that the (principle) problem is that there isn't a mechanism identified anywhere in either the communique or what we might say subsequently for working with the problem of an instalment of decommissioning as a pre-requisite for talks and how whether alternatives might exist of a similar confidence building effect. Now I understand that Sir Patrick has said on one or two occasions that if a better approach for getting a similar confidence building effect were to be devised, you wouldn't exclude it, but that you don't see anything better at this stage. Our view was that we should use the body and the process the - twin track process - as a way of canvassing better approaches if such exist, and either identifying a better approach or showing that there isn't a better approach, but that there would be a learning exercise for everybody, going through the difficulties of the positions

of the prospective parties, whom we need at the talks, identifying their fears, identifying the relevance of a gesture however small in allaying that confidence.

Satisfying ourselves that the gesture if made would actually satisfy their confidence building requirements, which isn't actually evident in itself from the unionist's position. But going through all of that matter in a way that would enable us to either identify a better approach or if we fail to do that demonstrating in a learning process to more people, than now accept it, that there isn't a better approach and that's the way I saw this twin track working, and I felt and feel that the involvement of the international body would be entirely positive in that regard. It would not take in any sense from the prerogatives of your Government in making the final assessment, because as we have to extent said and at all times this body is purely advisory. Now I accept having particularly listened to what you said very carefully in our last, our second last conversation that you have a difficulty, which I actually didn't fully take on board until then with the idea of any independent body making recommendations and even though it's independent and even though you have the final say, that it creates a pressure point for you which is difficult, I understand that. I understand that notwithstanding all the things I have just said about the merits of a body being helpful, that you don't want to find yourself in a situation where a recommendation has been made that you in all conscience and in political judgement, as somebody who has to live with the problem in the long term, you cannot accept and you are then put in the position that you appear to be very unreasonable, with not just the Irish Government against you, but an international body recommendation, and all sorts of other people as well. Now I can understand that problem which is, as you know, it's a political problem that we all face from time to time and have to overcome. So I have been thinking about how to solve this problem because I don't think we are going to solve it until I try to put myself in your shoes and you do the same in reverse. One way of approaching this might be to say that the matters that the international body are primarily to deal with are as set out in paragraph seven of the communique which you sent, or the draft communique which you sent to me which in essence are Washington 1, and Washington 2. But to acknowledge as you are doing to some degree anyway because you accept that others may make submissions that the body's work will extend to take other things into account. But we wouldn't want to have any lack of clarity there as to whether the body can or cannot make any views known on these other matters and if there is lack of clarity there I think we would find ourselves exposed to all sorts of questions of what is, what happens

if they make a recommendation on Washington 3 as well even though it's not within their remit. Are you going to say well look that's we are clearing that part of the report out of it and not even publishing it, or we are going to throw it in the bin, that part of it, because it wasn't in their remit. You will be asked all those sort of questions would that happen and the answers one might give wouldn't be the ones that some people would want to hear. So my suggestion to you is that we might say something along the lines that in so far as the international body proposes to deal in it's report, in light of submissions received, with matters outside the particular matters referred to in paragraph seven which are Washington's 1 & 2, it will discuss it's plenary conclusions with both Governments and will only make far more public recommendations on those matters if it has reached agreement with both Governments and that's something that could be added if it were a solution to paragraph eight of the draft that you sent. Now the merit of this is that in essence it distinguishes the role of the body into two categories, it has a role of what you might call an independent assessor in regard to Washington's 1 & 2, and it has a role of mediation in regard to Washington 3. In other words, in regard to the first one it's free to publish anything it likes and the parties are free to ignore it or not. In regard to Washington 3 it's role would be to try and bring the parties closer together not to act independently of the parties but to work with the parties with a view to finding a solution. Now I think that the merit of this is that first of all the body has considerable expertise which it would achieve from looking at Washington 1 & 2 and therefore to the extent that Washington 1 & 2 type issues are important in assessing Washington 3 it will have a degree of knowledge that will be helpful to us all in proceeding along that line. But equally the formula I am suggesting has the merit that it doesn't place you in the position that some recommendation is going to be produced which is just totally unacceptable to you, because I understand that problem from your perspective. But from my prospective I just can't have a situation where there is no process for dealing with Washington 3 and your position is being simply maintained on it because in that situation I would be told very quickly that the Washington 1 & 2 work of the body was just window dressing. Because the Washington 1 & 2 matters, one set would not really have the same immediacy as the Washington 3 matter and that our process will be faintly flawed because it didn't have a way of working through the disagreements that exist in regard to Washington 3. Now I am suggesting this to you because I want to solve out the problem, not because I am adopting a negotiating position, there is no tactical element in this and if you find that this isn't helpful I won't pursue it and it's being put forward in that way if you understand what I mean.

John Major:

No, I do, and I think it is a brave attempt and I have just been turning in my mind how it would be seen. I mean (it serves brush), I mean I understand your problem as well. I understand the difficulty that you have domestically with nothing being there to look at Washington 3. I do understand that very well.

Taoiseach:

It's more than just domestic I mean I have to say it is my considered assessment that we will not get what you are looking for in Washington 3, and we are not going to get it now or in six weeks.

John Major:

Then we won't get all-party talks. That is the position, that is why Washington's 1, 2 & 3 are sequential, events change at the conclusion of Washington 1 & 2, a different set of circumstances apply at the end of Washington 1 & 2 presumably if all goes well the paramilitaries on both sides have engaged in discussion, have put their views forward, have convinced the international body that they are prepared to disarm, and consider their mechanisms to disarming. That has a wholly different position in terms of confidence in both communities at that stage and you have a totally different climate to the one at the moment where all the noises have come or that we will never disarm and so on and so forth, and it's reiterated, or we both know what is being said. The difficulty of course of what you propose, I think it is a brave attempt, is that it actually makes George Mitchell broadly a peace envoy and not someone looking at logistics to enable the Government to make decisions. Our mechanism is to discuss and negotiate when we have the report against a different background from the one that we have and from a different background from the background we have at the moment. You can't guarantee how Sinn Fein would react to our proposed communiques and I can't be certain how all the unionists will react. I know how one of the unionists reacts. He has already sent me a letter about it and I think you have seen that letter. But I don't know what the reaction of the unionist community would be. But I mean the underlining point was and I went back and I looked at our Cannes conversation to see if I had made this point at Cannes and I did, was that we haven't in practice, we weren't establishing the body to make recommendations on when decommissioning should start. That was not the purpose of establishing the body and in the light of our conversation the other day I went back to look at the minutes of the meeting that we had at Cannes. That is a matter for political judgement and you and I would have to..

Taoiseach:

Well I accept that too because, in so far as I accept that the Washington, that the bodies or commissions report is advisory.

John Major:

I mean I think well..

Taoiseach:

You know what I mean.

John Major:

But it's prejudicial.

Taoiseach:

It wouldn't be prejudicial if the formula that I have advanced to you now is precisely to avoid that question which I understand for you is a difficulty of it's being prejudicial .

John Major:

Yes I think it is prejudicial.

Taoiseach:

Yes, but not if you were to look at what I have suggested to you.

John Major:

No, no if I am prepared to look further at it during the day. I see some immediate difficulties with it. But of course I am prepared to look at it. Of course I am prepared to look at it. But I am explaining the way we...

Taoiseach:

Sorry I.

John Major:

Views were sequential that the circumstances to provide a satisfactory degree of confidence, what Washington 3 is about is confidence. Washington 3 isn't about rubbing Sinn Fein and the paramilitaries nose in the muck. It's actually about confidence that will get everybody around the table, without which we make no progress. We can't have all-party talks without all parties. There is a

feeling I know it - is one that John Hume enunciates regularly - that if one should start into the process the unionists would join up, well I think that is a flawed judgement. I don't believe that it is true, and no one in the Northern community believes it is true either, unless there is more confidence than there is at present. I am hoping that the process that we are contemplating launching would actually provide that confidence and then of course one is in a difficult, not difficult, is in a different position and that's what I am hoping we will actually achieve. But whilst I understand all that you have just said, I still don't understand why that negates the draft Q & A's that I sent to you in mid week, because I don't see that all the ingenious nature of what you said, that it actually negates anything that is in those draft questions and answers.

Taoiseach:

Well I can explain, if I can turn up the Q's & A's here. I actually went through that fairly totally and I redrafted it myself. Basically the key problem is in regard to, let me see where it is here. I actually have done a redraft of it myself which would help me and somebody is now giving it to me. I think that the key question is in regard to the remit. I think that it would be necessary in regard to page two for example of the Q's & A's, the question three the second paragraph, you say we expect the international body to enlighten parties to submit their own analysis of the decommissioning issue and in reaching conclusions within it's remit now to consider such evidence on it's merits. That clearly indicates that if as you were suggesting earlier in the conversation, if Sinn Fein or others were to make submissions about matters concerning Washington 3, that the international bodies could listen, they could not reach conclusions of any kind on that, and in fact the use there of the term within it's remit, given that the remit excludes Washington 3 in it's own way excludes any fruitful dialogue about Washington 3, and there are no alternative mechanisms suggested for dealing with Washington 3. Now the suggested change that I would make there, if I were to, in that question would be to say we expect the international body to invite parties to submit their own analysis of the decommissioning issue and in reaching conclusions within it's remit and on related matters to consider such evidence on it's merits. I think that the addition of the words on related matters would allow for a wider exploration of the issues. Now I realise that that would invite the next question would be well did that mean...

John Major:

Is first.

Taoiseach:

Yes, that's what I have been trying to do. I have been thinking how you would answer that question and the position you might be placed in if you gave so to speak, the wrong answer and from either points of view and that's why I have come forward with this further suggestion that I have made to you in this conversation. But I hope that that explains to you that there are a number of other changes that I could have suggested to that Q's & A's. But there are more to emphasise that the British Government will be listening careful to the points of view expressed by all parties in both tracks on all matters, including my implication, Washington 3, and I think if you are not dealing with Washington 3 in track..

John Major:

I mean the underlined difference that we are trying to skirt around is that this is your perception that Washington 3 has to be partially or wholly dealt with there. It is our perception that what we are doing now will help us to deal with Washington 3 as a conclusion of this phase.

Taoiseach:

But could I give you..

John Major:

As I see, it is the essential difference between us, and indeed it's rather difficult to bridge.

Taoiseach:

But can I give you my basic thesis it is that the body by engaging in serious discussion on the principle of decommissioning and on the modalities with the various paramilitaries will be able by virtue of the sort of reports it receives from the bodies, from those paramilitaries, to build confidence amongst the parties and that you will get some sort of declaration of principle for Sinn Fein to the body that the IRA is willing to decommission in principle and you will get some sort of suggestion from Sinn Fein that they might do it in a particular way, and that that will build confidence. Now I would suggest that there are two flaws in that, first of all I think that the IRA/Sinn Fein are able, quite easily, to present some fairly high sounding statements on that, which are subtly qualified in regard to the nature the political settlement in the context of which this would be done to the point that what they say has little meaning.

What the international body being a technical body not a political one wouldn't actually be able to go behind what they were saying to point to the fact that they hadn't addressed the real problem because they might have set what they were saying about principle and modalities in a political context and the body couldn't deal with the political context and all that the body could do would be simply say this is what the IRA told us. I think that wouldn't bring it any further because within two months or whenever the report was produced the unionists would say ah fine very interesting and all that, but the whole thing is conditional and was a satisfactory settlement from their point of view therefore it's worth nothing. So I don't think you would get the confidence building that you are looking for by that route. The other difficulty is that we know that there is a problem as far as Sinn Fein is concerned with the insistence on a decommissioning gesture as a precondition, therefore there is a considerable risk that if we launch the body that Sinn Fein/IRA won't cooperate with it on the basis that you are suggesting, because it is only dealing with one, with two aspects of the problem and not with, the third, and there was a further danger that if we were to agree to what your're suggesting, that in fact Senator Mitchell wouldn't take part.

John Major:

Well if Senator thinks he has been appointed to make political judgement to the British Government then we can drop the idea now. Because Senator Mitchell has not been and never was.

Taoiseach:

Well I don't think Senator Mitchell, what I am saying about Senator Mitchell is..

John Major:

Making judgement there .. is being able to do so.

Taoiseach:

Let me explain what I am saying so that you will understand I am not suggesting that Senator Mitchell is only interested in this job because he wants to do other people's work, or to make political judgement for you, not at all. What I am suggesting however is that and this I think is documentarily recorded that unless all of the relevant parties are going to cooperate with the commission I don't think Senator Mitchell will want to take up the job. But what I am saying is that if it became obvious, very quickly, that Sinn Fein/IRA wasn't going to cooperate on the basis that the commission's remit was too

narrow that he wouldn't take up the job, and we would then have had announced something on Saturday which by Monday was dead in the water and the man whom we were going to appoint just wouldn't or couldn't take it up, because he wasn't going to be able to do the job.

John Major:

Whatever agreement we reach we would have to consult Mitchell and see whether he is prepared to cooperate before we agree to have a meeting.

Taoiseach:

That's right.

John Major:

So.

Taoiseach:

And I don't.

John Major:

You wouldn't get to the question of announcing something and having him say no. If I can place those arguments in reverse. John I am running with some difficulty now, my Cabinet meeting I can hear my colleagues outside should have started a good seven minutes ago.

Taoiseach:

I am sorry yes.

John Major:

I think I don't quite know where we find ourselves. We have been ready to launch twin tracks for two and a half months, I am keen to do so, but our position on Washington 3 isn't really very moveable. I mean our position is..

Taoiseach:

I would like you to..

John Major:

To stand on their own.

Taoiseach:

I would like you to think seriously during the day about what I have put to you because I ...

John Major:

It's a fog.

Taoiseach:

No leave that, it is serious all right. But in saying what I am saying I am not implying that you won't, I am just saying it for my own sake. I would like that it could be considered seriously because I think it is, it's not just a serious attempt to solve your problem, it actually does solve the problem that you would be faced with recommendations of a prejudicial kind without phasing the thing that couldn't happen and it is, it is a process whereby you would be, your position wouldn't be prejudiced in any way, but there would be a process of dealing with this issue in a confidence building way.

John Major:

Well I understand what you are proposing and I understand why you are proposing it. I still don't find myself totally persuaded that we needed to move away from the Q's & A's I gave you earlier. But of course I will consider what you say. The trouble is I shall not be able to consider it until this evening because I have wall to wall meetings and parliamentary engagements until this evening. Now clearly until we have made some progress on this there is not a great deal of a point in officials meeting. They are running out of time.

Taoiseach:

Well that's true. Well I feel that on balance it would be better if we meet anyway. Because I think we need to sit down with one another because I, you know, I think we are, I am trying to solve a problem and I think sometimes that I am saying things that are meant to help solve the problem that you think are motivated in some other way and I think that if we are treated, could sit down together you and I for a little while that sort of draft can be moved, because I have absolute confidence in you and in what you are trying to do, and in your determination to solve the problem and nothing I say at any stage should take from that or..

John Major:

I understand that, of course we have both got different points that we need to argue and of course if convenient to sit down and talk and see if we can improve those. We may have to speak later on today or our officials may.

Taoiseach:

Yes, well if we could do that later on today. I think it would be best..

John Major:

I mean if I can just get my diary and I will look. We start Cabinet which will go on a long time, there is a Cabinet Sub Committee meeting immediately afterwards which takes me through till one. I then have an unavoidable meeting on an urgent matter.

Taoiseach:

I am basically free at any time.

John Major:

I've got questions, meetings in Parliament, the Prime Minister of ... a speech in the City at Six O Clock, it's unlikely I am going to have a moment either to consider or to talk before eight O Clock this evening. That will be the beginning of consideration time.

Taoiseach:

Well how about early tomorrow morning or late tonight.

John Major:

Early tomorrow morning is fine, early tomorrow morning is fine John.

Taoiseach:

Well lets say nine o clock. I am not as early a riser as yourself.

John Major:

Nine o clock is fine, as far as I can see nine o clock tomorrow morning is fine.

Taoiseach:

Great.

John Major:

Ok I must rush now.

Taoiseach:
Thanks John bye.