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Telephone Conversation between
Taoiseach and British Prime Minister
on 20 May 1996

Checked by Gerry Cribbin

T I got an account of the call that John Holmes had with Paddy Teahon today and I am anxious that we should talk about where we are going. Two things are important. One is that we have come quite a distance in terms of getting agreement on an approach to handling the decommissioning question, in particular the procedure to be followed such that the Committee on decommissioning would report to the Plenary. There is, however, an issue to do with the terms of reference of that which I think we need to look at ourselves and come to an agreement about. The document that was discussed between our officials had two alternative wordings, one about what would happen to do with parallel decommissioning. The Irish draft, so to speak, talked about "exploring the scope" for an approach under which some decommissioning would take place, whereas your draft was talking about "securing agreement" - your draft says "to seek agreement" or "to secure agreement". My feeling is that we can't take a view on that before the parties have considered the matter to the effect that we ordain that there must be decommissioning during the talks. I believe that the Mitchell Report was clear that what should happen was that the parties should consider an approach of this kind (Paragraph 34 - that's what it says). It seems to me that the only opportunity that parties will have to consider it is when the parties actually meet. So it is important that any Body we set up should have a Terms of Reference that goes no further than Paragraph 34 of the Mitchell Report. In other words, that its Body or Committee or whatever is asked to assist the parties to consider an approach under which

decommissioning might take place during the talks. We, of course, would favour decommissioning occurring during the talks if not sooner, but I think we can't get into a situation where that is laid down as a form of *sine qua non* at this point. I think that is something that the parties have to consider in the talks.

BPM I haven't seen the two forms of wording. I mean... Paragraph 34. It's the first sentence of 34, isn't it?

T Yes. It is.

BPM You can read it two ways. There is a degree of ambiguity I suppose, if you tested it in a court of law - 'should consider an approach under which some decommissioning might take place'. Conceivably, they might decide otherwise or consider an approach under which some decommissioning would take place - meaning it most certainly would. I can see the ambiguity there. What George Mitchell said subsequently, and certainly what I said at the time - I can't precisely recall what you said without playing back - was a clear implication that the decommissioning would take place in parallel. Otherwise, of course, it couldn't be in parallel if it didn't take place during the passage of the talks. Now I am sure we can find appropriate words sticking to Mitchell words. For example, I'm sure something like that is doable but I don't think we should misunderstand what we both mean about it or what we understand Mitchell means and what Mitchell has said to us that he means which is that some of the decommissioning would take place during the passage of the talks. That is how Mitchell has interpreted it, what he said, how we have to go. Parliament...

T I think, in fairness, I wouldn't disagree with that in so far as that is what they are being asked to consider. It is certainly that the decommissioning would take place during the talks.

BPM That isn't what is going to happen. If they sat down and said that that was going to happen, as far as the British Parliament are concerned and the Unionists (let alone us), that would be finito. Nobody would stay at the table and indeed I am not at all sure that the British Government would stay at the table if Sinn Féin got there and said: 'Oh yes, this means 'consider' it - 'we are going to consider this; the answer is No; we'll decommission at the end', well, that couldn't possibly wash over here. We would not be able to continue. Considering that, decommissioning in the middle is in itself a compromise. I mean, we wanted decommissioning before, they wanted decommissioning after, it sure spoke of a compromise. Well the only compromise there is decommissioning down the middle. So, although he has phrased it rather clumsily - when he says 'let's consider' - it is pretty clear what he means and I couldn't possibly explain to Parliament anything else. Already this afternoon, we've had Press Releases from the Ulster Unionists. I don't know whether you have seen them?

T No.

BPM Following the Adams' statement.

T Well, the document which I have here, which was considered between our officials...

BPM I'm afraid I haven't got those. I'm sure John is listening in. Have we got a copy of it, John?

JH We have, yes.

BPM Look! I haven't got it up here. I'm up stairs in my office.

T It's only square brackets anyway. The point that I wanted to make anyway, is that that Paragraph (34) also refers to considering other confidence building measures. For instance, in Paragraph 52 of the Mitchell Report, there are references to punishment beatings, targeting and all that sort of stuff. So, I think that if you look across all of those issues, in other words if you look at Paragraph 34 and Paragraph 52 together - looking at their determination of paramilitary activities including surveillance and targeting, information of the status of missing persons and the return of those who have being forced to leave their communities under threat - I believe that if you look across at the range of issues and look at parallel decommissioning along with considering those questions, it may be possible to look forward.

BPM All these things will have to be considered of course and I am sure that we can get to the stage where we sit down and begin to discuss decommissioning. But if at that stage there is any indication that Sinn Féin and the IRA are just not going to consider and agree any parallel decommissioning, then there won't be any parallel progress. Nobody will move down any of the other tracks.

T Well, I think that there is a chicken and egg situation here because that Paragraph...

BPM ... Sure, I agree it's chicken and egg.

T Paragraph 35 for example makes it clear that Mitchell is considering this notion of parallel decommissioning as something that could occur to build confidence one step at a time during the negotiations. So clearly, he is envisaging that there would be political progress taking place and that it would be as a result of the confidence generated by political progress that the question of parallel decommissioning might arise. Well, it is something for the parties to consider. Basically, to put it in a sentence, we believe that unless Sinn Féin are satisfied that they are not going to be trapped with the whole focus on decommissioning from very early in the talks, that they are brought into this issue, that they are asked to agree in principle to parallel decommissioning before they are satisfied that real progress has been made on all their areas and that they will be expelled from the talks if they don't say 'yes' on trust at that very point to parallel decommissioning, there will be no parallel decommissioning. There will be no decommissioning whatever. Indeed, if they are not satisfied on that point in the next week or so, there probably won't be a ceasefire. So, the problem won't arise.

BPM Well, if they want not to have a ceasefire, that's their decision. They will have to answer for that. But in terms of agreeing in principle to parallel decommissioning, the whole thrust of what Mitchell said was that we go down essentially two tracks - one a political track where there is movement, one a decommissioning track where there is movement and

its steps along the way how that it is done (is to be determined), we'll be seeing political progress, we'll be seeing decommissioning. Now nobody is going to sit down in Strand 1 for example or Strand 2, and say: 'we don't agree in principle to making progress'. So, if Sinn Féin are going to sit down in the decommissioning track and say: 'we don't agree in principle to make progress', so are we saying something different from everybody else in every other track. Unless there is some good faith amongst everybody that we agree in principle - 'we are going to try and achieve this' - then we might as well not bother to sit down together. But I think Sinn Féin have pushed the Unionists and us as far as we are prepared to be pushed. Until we begin to see some progress and... We are just as keen to have progress as anybody is but it is going to have to be matched progress. Progress down the political track and progress down the decommissioning track and we are perfectly prepared to play fair with Sinn Féin and the IRA about the match progress as we go down the track. No one is trying to play a trick upon them. Not to trust their word?

T You may recollect in the last conversation I had with you. I spoke of the conversation I had with David Trimble when... I wouldn't wish you to quote this back to him because I don't want him to hear a second-hand version of the conversation he had with me. But he did say to me in our conversation that he would want to see Sinn Féin look at the whole range of measures in Mitchell of a confidence building kind. These were concrete measures - not just words but things that they could say they would do and that visibly they would be seen to have done subsequently - that he would look at the whole range of those to satisfy himself that

they were serious. And that is why I think that once you would look at Paragraph 52 of the Mitchell Report as well as...

BPM I'm sure he said that. But I think he would have meant: 'look at the whole range in addition to decommissioning not as a substitute for it'. I know David Trimble rather well. I spent rather a lot of hours with him over the table.

T I have to disagree with you now as far as what he said to me is concerned. And I don't - obviously from the point of view of my relations with him - I don't want you

BPM Well perish the thought that

T quoting back what he said to me or anything like that because he mightn't speak to me again and I don't want that.

BPM Even putting David to one side... I mean, our position as the British Government is really perfectly clear and it is a Cabinet decision that has now been agreed. Our position is parallel decommissioning as recommended by Mitchell and by that... Our understanding, from the Report but also from talking to Mitchell on more than one occasion, is some decommissioning during the negotiations.

T That's what he wants the parties to consider, yes.

BPM Well, no. That's what we expect to be the way we will proceed.

T Well, in that sense... I mean, the parties include you and us and all the other parties and I'm not asking you to change the British Government's position as to what it will want. But I think we must distinguish our position as parties going to the talks and what we are looking for from the talks, and the other role we have, if you like, as sponsors of the talks which is a slightly different one. I don't think we can say in that latter capacity that a request that the parties consider something requires that they agree to it before they consider it.

BPM But I think you're putting too much weight on the word 'consider' to be honest.

T Well, 'consider' couldn't mean anything else really. You don't 'consider' something if you've already made your mind up.

BPM No, no, no. Yes, it does. I mean you can . . . I can see how you can read it the way you're reading it because I think that is not a true reading of the whole paragraph. It doesn't say: 'the parties should consider whether or not they would adopt an approach under which some decommissioning would take place'. It says: 'the parties should consider an approach under which some decommissioning would take place'. He is actually saying we need to consider *how* it is done - not *whether* it is done. And I think the word 'consider' is a slight ambiguity. There's not much doubt in my mind that what he is actually saying in Paragraph 34 is that the parties should determine a mechanism under which some decommissioning would take place. That's actually what he's saying and that is what he has said to us. That is what I have said to Parliament.

That is what Paddy has said to Parliament. It's what I have got through my Cabinet.

T That's fair enough as your position.

BPM You saw the fuss there was last week over the article I put in the *Irish Times*. I mean, my goodness, that was quite a skirmish. I've had backbenchers writing to me. I've got meetings up to the eye-balls with people saying are you about to betray the Unionists, sell out the Unionists and ten thousand other things. And the concept that I should move back from what I have told Parliament on this is not possible. I simply couldn't do it. I mean, I haven't invented what is in the Mitchell paper. We weren't 100% excited by bits of Mitchell but I haven't invented what's there and I haven't interpreted it malignly because my interpretation was after discussion with George Mitchell. So I'm not all that keen on [arguing about] it because I think that just leads to trouble. And that is clearly our view as to what it means.

T I think the position is that the British Government, as a party, is in favour of decommissioning - physical decommissioning - during the talks and I will be going into the discussions looking for that. And insofar as your negotiating position as a party in the talks is concerned, that is your position and anything you said about your party - your position - doesn't have to be altered one whit as far as that's concerned. That is however different from saying something before the talks start to the effect that it's not just what you will be looking for in the talks but that you will effectively abort the talks or remove a party from the talks if you don't get your way. I think that goes beyond simply a position that you're

taking as a participant to the talks and becomes a situation wherein you're effectively saying that you're leasing the playing pitch to the players but if the game isn't going your way, you're going to expel them from the pitch before half time.

BPM I think it's exactly the other way round and I think you do too. Sinn Féin can't enter into these talks and say: 'we're not going to do anything until it's all over and then we might conceivably consider a bit of decommissioning'. That isn't going to happen. And it's not just a question of what the British Government will want to happen. Once people sit down and if Sinn Féin don't seriously engage in discussions about decommissioning during the period of the talks, they may say: 'we're not going to decommission it until we reach agreement on some things'. I don't know what they'll say. But unless they agree to decommissioning during the period

T But they won't agree to that, John, at this stage.

BPM Well, why not? That's what Mitchell . . .

T Because they're not going to. I mean . . .

BPM Then we might as well just pack up and go

T There isn't a chance that they'll agree to that at this stage.

BPM I'm not asking them to agree at this stage. I'm saying . . .

T They won't agree to it in principle at this stage either.

BPM When they sit down - we're talking at cross-purposes then - when they sit down in the Sub-Committee that reports [on decommissioning] to the Plenary (chaired I hope by George Mitchell), if they don't agree to discuss decommissioning during the passage of the talks, then the moment they say they won't discuss that, the talks will end because the Unionists will leave.

T I think we covered that point in the Terms of Reference that we have... well we haven't agreed but we're discussing. Because the Terms of Reference that I have here specifically state that one of the... actually I've lost the page here, I have it again... Well, there were these two versions: One is that the Terms of Reference within the remit of the Committee on Decommissioning was firstly to secure agreement on the basis of guidelines contained in Section VI of the Mitchell Report on the modalities of decommissioning and so on and then - that's Paragraph (a). And then Paragraph (b) either to 'explore the scope or secure agreement on an approach under which some decommissioning would take place during the passage of all-party negotiations'. Now my preferred wording would be just to make that separate to say 'consider an approach under which this would take place'. Now, if Sinn Féin go into that Committee with that Terms of Reference, they are *ipso facto* obliging themselves, as a member of the Committee, to consider all the things in the Terms of Reference of the Committee. So, by putting in 'consider such an approach' into the Terms of Reference, you are requiring them to consider it. Now what they actually do subsequently is something that you really can only know for sure when the thing gets moving. But my

worry is that if you say something publicly that suggests that it isn't enough for them to go into the Committee and show willingness to consider this, but that they actually have to say before they go into the Committee that they're going to do it, that will go too far.

BPM You keep slipping in this word 'before' they go into the Committee. When they get into the Committee, they've got to start discussing the decommissioning. I'm perfectly happy to say to the other people they've got: 'start talks thinking about political progress'. I'm being entirely even-handed about it. But I cannot stand up in front of the British Parliament and be slippery about whether I think they should decommission during the period of the talks.

T The point I think I have to make is: the distinction between what you as British Prime Minister participating in these talks and as one of the parties in the talks seeking agreement and what you would be looking for. That's one thing and what you are going to insist upon as a *sine qua non*. Otherwise, you'd abort the negotiations. As a joint sponsor of the negotiations, that's another thing. I think there is a distinction there. I think that distinction has to be clear.

BPM I'm not threatening to abort the negotiations. What I am saying is a matter of fact. It's that once we get into the negotiations, if it turns out that 'consider an approach under which decommissioning would take place' means 'consider but reject' because they don't really sign up to what we understand the Mitchell principles to mean, then the Unionists will walk out. And I think they would be right to walk out.

T That'll be their decision, but I think that the impression we got this morning was that if Sinn Fein didn't agree to ask the IRA to decommission during the talks - at a point when the talks advanced a certain distance - that you would take the view that Sinn Féin, by so doing, would render themselves ineligible to remain in the talks. Something to that effect was said to us by John Holmes this morning. And anything being said of that nature at this point where you are, if you like, anticipating failure and envisaging what would be done to Sinn Féin in that situation, then I think that we'd never have to worry about the problem because there'd never be any talks with Sinn Féin.

BPM Sinn Féin have been trying to blackmail us with that sort of stuff for the last three years. We'd never have got anywhere if we listened to them all the time on that front.

T This is what John Holmes said to Paddy this morning.

BPM Yes. Well he's right. What John Holmes said to Paddy is right. Nobody is necessarily going to wave that around in advance. But if we think that once they're in the talks, they're not being serious and they're going to try this farcical nonsense that 'Sinn Féin are different from the IRA and therefore it's nothing to do with them but thank you very much', they'll consider sitting down and talking, well that isn't a viable proposition. We don't believe that and I don't think anybody else believes it either. We all know who sits on the Provisional's army council high command and they'll be sitting in the negotiations wearing Sinn Féin hats.

T I know.

BPM So, we can't accept that difference. But we are not looking for artificial impediments and no doubt we can find our way round it. But what I don't want to do is for the Irish Government and the British Government to misunderstand ourselves about what we really believe the Mitchell Principles mean and what will happen in certain circumstances. I don't want accusations of bad faith if this breaks down. That is why John has told Paddy, from what you say in fairly gruesome and grizzly detail (Foreign Office officials do [talk too] subtly) exactly what our position would be. Because we don't want to mislead you.

T I quite understand your position. This is what you're going to be looking for and you're going to look for it as toughly as you can in the talks. We also favour this but we have perhaps a different assessment as to how realistic it is.

BPM Let's all be clear about what we're signing up to.

T My big concern is to persuade Sinn Féin that they're not being asked to walk into a trap where once they get in, the only thing that they'll be hearing about is decommissioning, decommissioning, decommissioning.

BPM But in the Decommissioning Sub-Committee, that is all they'll be hearing.

T Oh yes but the Decommissioning Sub-Committee won't start until the initial phase has concluded; when Senator Mitchell is satisfied that they have addressed the items that we referred to in the last paragraph of our Summit Communiqué on 28 February - that they've addressed the

decommissioning issue and addressed the other items and they've addressed them sufficiently to actually go into the detailed discussion in the different strands. So it won't be starting until that initial phase has been gone though. But I think we do need to agree that the Chairman will have the latitude to make a judgement whether and when decommissioning has been satisfactorily addressed in the initial Plenary phase so that we can go into the Committee and then move on from there as well in the other strands.

BPM I must say, whatever pressure Sinn Féin or the IRA put on, we can't move away from the Mitchell Report in any way. I think the Mitchell Report itself is quite a satisfactory compromise.

T Absolutely. I think we've got to cleave to the Mitchell Report.

BPM The point is we have a different interpretation of what part of it means.

T Actually I don't think we do. I think we have a different I don't think we do. I think we may have a different . . . may be in a misunderstanding about what you're saying is your position - in your sense as one of the parties there and what you are insisting upon as a *sine qua non*.

BPM Hang on. Well let me just ask you a straight question.

T Okay.

BPM I'm sorry, I didn't mean that. That came out

T No offence.

BPM I didn't intend it to be. Do you think it is credible that we should go through the talks without some decommissioning during the passage of the talks? Is it your view that we could or should get through the talks without that?

T If we get satisfaction on other measures of equivalent effect in terms of confidence to the Unionist community - that they're under no threat of violence - it is possible to get through the talks without physical decommissioning but it may prove that it isn't possible. But that's a matter on which we must see how we're going and obviously it's partly dependent on whether progress is being made on the political track as well. It may well be that if a lot of progress is being made in the political track, it would be very unreasonable for Sinn Féin not to be delivering something in terms of instalments of decommissioning. Conversely, if little or no progress is being made in the political track, the same pressure might not apply.

BPM Well Heaven forgive us that we should imagine Sinn Féin will be unreasonable. I'm even shocked at the thought. But, you see, there is a difference between us on that judgement. I don't think that anything other than some decommissioning would offer remotely the same assurance. Stopping punishment beatings is all very well but what the Unionist community want to see is some indication that at the end of the talks (if they all collapse at the last minute), that Sinn Féin had been operating with the same good faith as everybody else and they're not suddenly going to go whipping back with all their weapons. So this is a

very important issue and it may be one upon which sadly you and I have different views. Now we don't have to expose that at the moment but I don't want there to be any misunderstanding between us about it. I think we can probably find language in this document we are looking at. We usually manage to do so. But I don't think we should agree to language which - whatever its text or [interpretation] might be - clearly implies there could be no decommissioning until the end of the negotiations.

T Absolutely, I agree with you. I wouldn't be proposing any language that had that meaning. It may be that some of our people in their enthusiasm to convey to you their pragmatic belief that there won't be decommissioning until near to the end of the talks or at the end of the talks (or suggesting that sort of pragmatic judgement which is a disputable judgement - it may be wrong, it may be right), and that we are putting forward that as a position of principle. Absolutely not. I wouldn't have that view at all in fact. I'm in favour of parallel decommissioning if we can get it and I would be working with you to achieve it and we have

BPM The mood over here is that the British Government has been over-pragmatic and we have been. What was it that the DUP were kind enough to call me the other day? 'A pathetic man, a puppy', I think, were the comments. And 'a traitor'. I think I was only called 'a traitor' once last Thursday. It was a better day than most but it's an indication of the way things go. I think we better see where they get on Wednesday and if they can't reach agreement, you and I better talk again. The thing I'm most concerned about is that we don't get accusations of bad faith between you and I. So, we need to be clear where we both are.

T I think so. That's fine.

BPM Will I tell you where I am on Chairmanship?

T Yes.

BPM I think the key is Mitchell and I think the way we're doing it - to avoid the problems of decommissioning with the decommissioning strand reporting to the Plenary - is very strongly for Mitchell as Chair of the Plenary. I would very much like Mitchell to chair it and I think the Plenary is becoming more important. It isn't just the beginning. It won't go out of fashion or out of sitting. Things will keep coming back to it and we need a heavy weight political figure with sharp elbows to chair. I'm very keen on Mitchell doing that. I'm not at all keen on Mitchell doing Strand Two as well for pragmatic reasons. Not because I don't trust George Mitchell. I do. I think he's very able or I wouldn't want him for the Plenary. But I think they're going to be pretty detailed and lengthy discussions and I think he'll be pretty busy with the Plenary. He can't do everything and the Plenary, particularly since it will embrace decommissioning, seems to me to be more important. If we can't break the log-jam there, everything else is irrelevant. Thirdly, if Mitchell were to do the Plenary and Strand Two, it would be quite difficult to explain here. It would look too much like the US taking over the whole shouting match and in any event the Unionists, although they are being polite to the Americans and may have been circumspect with you, would not wear it without grudge and difficulty. They might wear it if he did both. And for this reason, their reasoning goes like this: In the Plenary and in decommissioning, lots of deals will have to be done. If he does Strand

Two as well, any deals that he has done will look as though they are being offset against political deals in Strand Two and the Unionists won't be able to carry their people with them. So, they are very neuralgic about that. Now what do we do then about Strand Two? I think there are several options. We can look at the new name or we could look at someone like de Chastelain who in practice would work very closely with Mitchell. That's an option. It isn't really my preferred option but it's an option. Or there might be some other way in which we could do it. But I think for Mitchell to do both would present us with some difficulties for the . . . I mean, I could offer you some more reasons as well but those are the main reasons why we think it's difficult. And I think Mitchell is the best person to do the Plenary and decommissioning because it's Mitchell's Report. No-one can doubt what Mitchell meant when Mitchell is there to tell them what he meant.

T I think that there probably is a bit of a difficulty in having a two-headed chairmanship operation where the two persons are equal and where ... I think there has to be some sort of 'chairman of the chairman', so to speak.

BPM Well, I think that's you and I [differ] in a sense but, in another sense, all the Strands . . . I don't know. I'm saying all the Strands report back to the Plenary. I'm not quite sure whether we envisage Strand Two or not - presumably we do - in which case, Strand Two would report back to the Plenary in any event.

T What I think would be probably acceptable would be that George Mitchell would be Chair of the Plenary and overall external Chair but his Deputy would be de Chastelain who has specific responsibility for Strand

Two but that there would be a slight sense in which Mitchell was the superior, which I think is natural enough if he's chairing the Plenary anyway.

BPM It would have to go back to the Plenary. We might be dancing on the head of a pin again. Let's both think about that.

T I agree with you that possibly from a work point of view, there could be a practical problem with Mitchell trying to do everything anyway. There was a bit of difficulty when Michael Ancram was over talking to George Mitchell and apparently, should I say, he put some of these suggestions that you put to me to George Mitchell himself.

BPM And he spoke to George over the weekend as well. I think George phoned him.

T Yes. I don't think George Mitchell was completely happy because he felt that he should have been approached by the two Governments together with a joint proposal rather than approached by one of us with our preferred proposal, so to speak.

BPM We rather got the impression he'd been approached by you with your firm proposal.

T No. I'm afraid we're not as quick as you. We were slow...

PM Well, my goodness! Your Ambassador is very quick...

T Anyway I think we can probably work out something.

BPM ...That will be the day. I think so John. That will be the day. I hear we may be going to Prince Charles on the same day.

T Oh, really?

BPM You're going to have lunch at Highgrove?

T Well that's sort of in the air still, I'm afraid.

BPM You couldn't go on the Sunday you were going?

T Well, it was the day before the talks you see.

BPM And he's asked whether we would mind if you came the following Sunday when we're going to be there.

T Oh! That sounds interesting. Yes.

BPM Well, it may not be convenient for you but I've just said to Prince Charles that we would regard that as very agreeable - we have no objection to that at all. You're forewarned if you want to fill up your diary on the grounds that you're not going to make any more Anglo-Irish [visits]. I'm sure we'll speak again this week.

T Yes. Thanks very much

BPM God bless. Bye.

T Thanks John. Bye