



# An Chartlann Náisiúnta National Archives

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Meeting of Liaison Group, Dublin, 1 October 1998

Key Points

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1. The Liaison Group met at Iveagh House for approximately two hours. Present on the British side were Jonathan Stephens, Veronica Sutherland, Peter Bell, Tony McCusker, David Hill, Stephen Leach and George Fergusson. On the Irish side were Dermot Gallagher, Martin Mansergh, David Donoghue, Tim O'Connor, Colm O Floinn, Ray Bassett, Paul Hickey, Simon Hare and Rory Montgomery. The great bulk of the meeting was taken up with the current decommissioning impasse, but other matters were briefly touched on.

Decommissioning Impasse

2. The present positions of the UUP and Sinn Féin were discussed at some length, with both sides offering broadly similar analyses of where each stood, and of the very considerable internal political constraints on both Trimble and Adams (including, in Trimble's case, the forthcoming party conference on 24 October and a meeting of the executive committee on 31 October). It was agreed that there had been few if any signs of movement. The British reported that no significant new ground had been broken in the Prime Minister's meetings with Adams and Trimble earlier in the week. They expressed their appreciation of the constructive and helpful approach which the Taoiseach has been taking (along with, in their view, most politicians and commentators in this jurisdiction, as well as Hurie and Mallon).
3. In discussing how the impasse might be broken, it was agreed that there was a large degree of common ground between the papers prepared by the two Governments. Gallagher indicated that the Ambassador in London had received a "half-hint" from Gerry Adams that, if David Trimble could accept the approach in our paper, he could live with it too. There was an open and free-wheeling discussion of possible elements in an agreed approach, which would then need to be sold to all those involved.
4. The British stressed the importance, in their view, of the direct involvement of the IRA itself in building confidence. Most unionists interpreted their stated position as being that there would never be decommissioning - even if a more positive interpretation were sustainable. What was needed, therefore, as a minimum, was a "lifting of the never." It

was agreed that reassuring language need not come in the form of a full statement - it could for instance be inserted in an interview.

5. Gallagher speculated that the IRA could say that it was committed to the implementation of all aspects of the Agreement. Stephens thought that this could be followed by a direct assurance that it would play its part in such implementation, in the right political context. The British side also thought that some indication of a timescale would be necessary. We thought an actual timetable was unachievable, but that some indication of a "ballpark" might be possible. Donoghue, while emphasising that there had to be a question-mark over the likelihood that the IRA would make any statement of the sort discussed, wondered whether a statement might include, if not a timescale as such, some linkage or phasing involving decommissioning and progress on other aspects of the Agreement.
6. Stephens thought that this was an interesting suggestion, but felt that there had to be "something to hold on to" in terms of a relationship between decommissioning and specific other developments, notably the devolution of full powers to the Executive.
7. The possible role to be played by General de Chastelain was also discussed. Leach reported that the General had given Martin McGuinness a fairly detailed questionnaire on 23 September, and was to enquire on that day when a reply might be received. De Chastelain hoped that he would be able in due course to issue a statement saying that the IRA and the loyalist paramilitaries had a serious intent to decommission within the two-year timescale, and that he had concluded with them a full and satisfactory agreement on the modalities. Gallagher agreed that it would be very important for de Chastelain to be able to say that it was now clear how decommissioning would proceed.
8. Stephens wondered whether it could be useful if de Chastelain were also to say that, in his view, the overall political context, and the smooth operation of the decommissioning arrangements, both required that decommissioning be under way by a certain time. We replied that this was potentially interesting, but that the terms of such a statement would need to be carefully checked by both Governments, and agreeable to Trimble and Adams. It was agreed that de Chastelain's credibility - like Mitchell's in the Talks - meant that he

only had one call to make, and had to get it right.

9. We made clear that, of course, key elements of any package from a republican perspective would be (a) an absolute assurance of immediate UUP movement on the establishment of the institutions and (b) continued progress on demilitarisation. Leach indicated that the British side hoped to be able to share a revised draft of their normalisation paper soon. While there still had to be, in their view, a clear link between security measures and the threat level, it was the case that post-Omagh the threat had diminished.
10. It was agreed that it would be important for any package to be strongly and publicly endorsed by the two Governments, with both making clear their conviction, on the basis of IRA and de Chastelain statements, that decommissioning would in fact happen within the required period. There was some discussion of how firmly Trimble could be expected publicly to ally himself to this assessment, or to indicate his view that decommissioning would start by a certain time (for example "the first half of next year", or "the New Year"): Stephens felt that Trimble would not feel able to interpret, or gloss, what others had said.
11. In terms of future work, the British undertook to prepare a further draft based on our paper. It was agreed that the aim would be to try to agree something by the time Trimble and Mallon returned from their US visit (16 October).

#### Drumcree

12. McCusker had heard from Trimble, following his meeting with Gerry Adams, that the two men were, in an attempt to make headway on Drumcree, to approach the Orange Order and the Residents' Committee respectively.

#### North/South Matters

13. There was a brief discussion of the current state of play, in particular the proposals made by the UUP and the role of Austen Morgan. McCusker indicated that it could be appropriate for the SDLP to query the propriety of Morgan's direct involvement in negotiations, given that he has been retained at public expense as a consultant to the First

Minister. Fergusson said that he had made clear to Morgan (and his legal colleague Jeremy Carver, who had taken the point) that matters relating to the delimitation of the UK's borders were for the British Government.

#### **Northern Ireland Bill**

14. We stressed our support for the SDLP's insistence that the roles of the First and Deputy First Ministers be jointly defined throughout the Bill, and we also relayed the grave concerns expressed to us by Séamus Mallon, and Sinn Féin, regarding the dangers inherent in the proposed provisions for advance circulation to the Assembly of agendas for meetings of the North/South Ministerial Council. They were afraid that this could reintroduce the concept of a prior mandate from the Assembly. The British felt confident that their proposed language would not allow such an interpretation, but undertook to look at it again.
  
15. Stephens told us that, in response to what he claimed were indications of concern from ourselves and the SDLP as well as the UUP, the British were now intending not to propose an amendment reinserting an explicit duty of service on Ministers to participate in the Council if nominated. We made clear that we in fact supported such a provision (and had urged them to include it). Inevitably, a failure by a given Minister to attend the Council would raise serious political problems and would presumably have to be resolved politically; but the reflection in the Bill of the Agreement's provisions would at least make clear that there was an expectation of participation. Stephens undertook to reflect and revert to us with text.
  
16. We asked to see intended amendments on equality and the national security exemption from fair employment processes as soon as possible. Hill explained that enhanced employment equality legislation would not be introduced until after the Northern Ireland Bill had been enacted.

Rory Montgomery

2 October 1998