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AMBASAÍD NA hÉIREANN, LONDAIN



IRISH EMBASSY, LONDON

27 February 1998

Mr. Dermot Gallagher
Second Secretary
Anglo-Irish Division
Department of Foreign Affairs

Dear Secretary,

I attach a draft note on yesterday's meeting in Downing Street.

Yours sincerely,

Philip McDonagh

Philip McDonagh
Counsellor

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*... also - official file
A-I w; Phil to*

Taoiseach

*For the record
hmk*

3.3.98

TAOISEACH'S MEETING WITH THE PRIME MINISTER

26 FEBRUARY 1998

The Taoiseach met the Prime Minister in Downing Street yesterday afternoon. At delegation to delegation level, the meeting lasted for about fifty minutes. This was followed by a one-on-one meeting between the Taoiseach and the Prime Minister lasting about twenty minutes. This note covers only the formal meeting.

The Taoiseach was accompanied by Ted Barrington, Paddy Teahon, Dermot Gallagher, Martin Mansergh, Joe Lennon, and the undersigned. The Prime Minister was accompanied by Mo Mowlam, Joe Pilling, John Holmes, Jonathan Powell, and Alastair Campbell. There was a good atmosphere throughout the meeting.

Opening the discussion, the Prime Minister said that the two governments ("we") will "need to put something before the process at some point". But if this is done now, the Unionists will "walk away". Further preparations are needed over two to three weeks. The Prime Minister said that from his meeting with the UDP earlier in the day he is convinced that their leadership wants the democratic process to succeed. At the same time they are at the mercy of elements who do not accept their authority. The position in Sinn Fein is similar. Against this background, we must "press on". Speed is important. Referendums North and South will be a turning point both for Nationalists and Unionists.

The Taoiseach thanked the Prime Minister for his decision on Bloody Sunday. He offered an assessment of the state of play in the paramilitary organisations similar to Mr. Blair's and confirmed that the main players in Sinn Fein, despite serious pressures, including pressures from within the mainstream Republican movement, remain committed to a political strategy. From his own contacts with the parties, the Taoiseach concluded that an agreement is possible this side of Easter. The beginning of the marching season on Easter Monday makes it all the more urgent to meet this deadline. The Taoiseach suggested that the two governments should put together a document covering the various aspects of an agreement. This work could proceed confidentially as we continue to consult with the parties.

The Prime Minister made a distinction between process and substance. As to process, there should be "as much intensive negotiation as possible all round". He himself would shortly meet both David Trimble and the SDLP. The goal should be to identify "the separating issues". Once these issues have been identified, which could take about ten days, drafting can begin. As to substance, the Prime Minister felt that the UUP and the SDLP, despite some differences between them, should be

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encouraged to make as much progress as possible on Strand One. On North-South relations, it may prove necessary in due course to "lever in" an agreement. But it may prove that the Unionists' main problems are presentational.

// Mowlam said that it may be George Mitchell who tables a draft agreement. The ideas of the two governments can be "fed in gradually" over the next few weeks. Five or six difficult issues may emerge.

The Prime Minister said that one of the lessons to be drawn from the propositions paper is that if the Unionists are involved and have ownership of what is happening they can more easily overcome their problems of presentation. An intensive phase of negotiations may be needed in due course.

// Mowlam suggested that the talks have been working well this week in the absence of Sinn Fein. This is something to build on. In the light of this work, we can put questions to Sinn Fein on their return. We will perhaps need a "synopsis with options". The week of St. Patrick's Day, when many of the senior politicians will be in Washington, could provide an opportunity for British and Irish officials to work on a new paper.

// The Taoiseach observed that while the integrity of the talks must be respected, delegations have more to say privately than at the table. There are a number of issues such as equality, rights, justice, and prisoners which are not debated in public as much as Strand One and Strand Two and where work needs to be done. We should get our minds clear on issues other than the most contentious points. A drafting exercise, using square brackets as necessary, would serve a useful purpose.

John Holmes, was asked by the Prime Minister to comment. Referring to the idea that the two governments should submit a written document to the talks, he acknowledged that "there will be something of this somewhere". But the process will inevitably be "messy".

The Taoiseach said he was talking of a draft, not a document to be presented too bluntly. If the two governments are conducting a round of bilaterals, the difficulties they encounter on the way should be fed into one process.

Mowlam said that work is underway on policing and prisoners on both the British and Irish sides. On issues such as the early release of prisoners and the need for changes in policing, we might try to reach an agreement between ourselves "without a timescale".

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The Prime Minister asked if we could agree "in terms of process" that the two governments should engage in intensive bilaterals to sort out the possibly contentious issues.

Teahon pointed out that even on an issue such as the extent of the powers to be devolved to Northern Ireland, there are important differences between the SDLP and the UUP.

The Prime Minister sought clarification from John Holmes and Mo Mowlam on Unionist thinking on devolution and on the issues to be resolved in connection with the working of a Northern Ireland Assembly.

Teahon said it would be important to know what the British government will say on, e.g., whether there is to be an executive operating with collective responsibility. If we define a dozen sticking points, how should they be brokered?

Mowlam adverted to the linkage between Strands One and Two.

The Prime Minister said regarding Strand Two that his impression is that the Unionists are focussed on the mandate from the Assembly to the North-South Council. The Council should not be a self-standing government. Mr. Blair said that the implementing bodies should not be a problem for the Unionists as long as "they don't have a life of their own".

The Taoiseach said that his impression from talking to UUP leaders is that they hope to avoid designating these bodies from the outset. They want it to remain a grey area. That is not something we could accept or that it would be possible to sell.

The Prime Minister asked whether our objective is to identify in the agreement "examples" of North-South bodies and to leave the way open for the establishment of other bodies over time. Mr. Blair went on to repeat that the relationship between such bodies and the Assembly is crucial. He recognised that the stronger the Assembly, the easier it will be to find a solution on North-South issues.

Mansergh said that the actions referred to earlier by Mowlam, for example on prisoners, will be impossible for Sinn Fein to accept without a timescale.

Mowlam said that we have yet to define when "peace" will be deemed to have come to Northern Ireland. Do we mean when an Assembly is elected?

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The Prime Minister asked whether Sinn Fein will recommend an agreement emerging from the talks.

The Taoiseach said that they want to be in a position to do so. They are looking at the demography and at their own political future.

The Prime Minister observed that "non-ideological" issues such as equality and prisoners will in practice be very important.

Mowlam referred to the forthcoming British reply to the SACHR Report. She regretted in passing that most of the confidence-building measures open to the British government represent "Nationalist gains".

Barrington asked how the two governments will engage on the twelve difficult points we identify in the coming days.

The Prime Minister said that he "cannot be sure on cross-border bodies until I know where the Unionists will be". He implied that we could move towards agreement on equality and prisoners issues. But some things are so "neuralgic" for either side that caution is necessary. The Unionists speak warmly of their contacts with the Irish government. Their attitude compares favourably with that of Paisley and McCartney. Could we not work on the UUP? The British side will work on them too. Summarising, the Prime Minister said that the two governments might try to reach agreement in the short-term on some of the twelve most difficult issues and that we should get together again in a few weeks. It might be appropriate at that stage to "push more" on the North-South issue.

The Taoiseach recalled our ideas about putting together a base document.

The Prime Minister again expressed doubts about "an actual document". It is something that the Unionists fear. Could we not take things issue by issue, arriving at agreements in some areas?

Mowlam said that if we negotiate on four texts to "follow on" from one another, the Unionists will have no excuse to "walk".

Gallagher underlined that the document we have in mind would be to guide us in bilaterals. If a document is to be floated, this should be done ultimately by the chairmen.

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The Prime Minister responded, "let's see". He said that he continued to have concerns about a "completed document". For the time being, work undertaken between the two governments should be issue-based. Mr. Blair then signalled that he would appreciate a private session with the Taoiseach.

The Taoiseach, before entering the tete-a-tete, raised the case of Roisin McAliskey. He said that we have serious humanitarian concerns and also fears about the possible impact of the case on the wider process.

The Prime Minister said that the decision will be for Jack Straw. There is a statutory obligation to decide by 16 March. It is a quasi-judicial matter. Ms. McAliskey is receiving the best care. A report is being commissioned by a senior psychiatrist. It is hoped to reach a decision in advance of 16 March.

Mowlam said that the British government has no wish to see Ms. McAliskey come to harm either in Britain or in Germany.

In the absence of Mr. Ahern and Mr. Blair, Dr. Mowlam initiated a discussion on the timing of referendums and of subsequent elections to an Assembly.

Pilling said that with Drumcree on about 6 July, an election must be held by about 20 June. Holmes said that the election campaign will require three weeks. Mowlam emphasised the importance of speed. The Assembly elections must follow soon after the referendums, or the situation may degenerate. The whole process must be completed before the height of the marching season. That is why she is arguing for 7 May as the date for the referendums. The date may slip a little. The mid-September deadline for Sinn Fein's admission to talks slipped nine days. But we should not admit at this stage to the possibility of putting back the date by a week or two.

For our part, we outlined some constitutional and political considerations which could affect the timing of a referendum from our point of view. We agreed with Mowlam that the process of setting up new institutions - and not only the Assembly - should be completed before the height of the marching season.

Philip McDonagh
Counsellor