

Reference Code:	2023/154/31
Creator(s):	Department of the Taoiseach
Accession Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

Taoiseach
For the record
4-1-2000

Taoiseach's Meeting with SDLP Delegation, Friday, 28 January, 2000.

1. The meeting took place in the Sycamore Room, Government Buildings, Dublin at 3pm and lasted about one hour and a quarter. On the Government side those present were:

   Mr. Bertie Ahern, T.D., Taoiseach
   Mr. Brian Cowan, T.D., Minister for Foreign Affairs
   Mr. Dermot Gallagher, Second Secretary,
   Anglo-Irish Division, Department of Foreign Affairs
   Mr. Walter Kirwan, Assistant Secretary,
   Northern Ireland Division, Department of the Taoiseach
   Dr. Martin Mansergh, Special Advisor to the Taoiseach.

2. The SDLP were represented by:

   Mr. John Hume, M.P., MEP, Party Leader
   Mr. Seamus Mallon, Deputy Party Leader, Deputy First Minister, Northern Ireland Executive
   Ms. Bríd Rogers, Minister for Agriculture, Fisheries and Rural Development, Northern Ireland Executive
   Mr. Seán Farren, Minister for Higher and Further Education and Employment, Northern Ireland Executive

3. Messrs. Hume and Mallon welcomed Mr. Brian Cowan to his first such meeting in his new capacity as Minister for Foreign Affairs and paid tribute to his predecessor, Mr. David Andrews, T.D. and to his distinguished record in regard to Northern Ireland. The Taoiseach complimented Mr. Mallon on all the work going on under the aegis of the Executive and the North South Ministerial Council (NSMC). He noted that Mr. Gerry Adams had not been easy to contact since Christmas. He had not met him but had spoken to him twice on the phone. He (the Taoiseach) had conveyed his view that it would be insanity to allow the institutions established under the Good Friday Agreement to fall over decommissioning but that in his (the Taoiseach's) judgement, Trimble, whom he had met, would not go the meeting of the Ulster Unionist Council fixed for 12 February with any message other than suspension of the Executive, unless he received satisfaction in regard to decommissioning.

©TSCH/2023/154/31

4. Mr. Mallon said the problem could be worse and arise even earlier. He had learned, shortly before the meeting, that Trimble had put down a motion in the Assembly to note General de Chastelain report expected on 31 January, for debate on Tuesday, 1 February. The Taoiseach confirmed that it was now expected that the General would submit his report to the two Governments on Monday, 31 January. The Taoiseach commented that a fudge on anyone's part would not work - the IRA will not fudge, Trimble cannot fudge and the "rest of us" don't want to fudge. That implied that things must be black and white. Trimble had told him that if the IRA don't put some arms beyond use, he would be standing on quicksand and would not torture himself by dragging things out but would throw in the towel quickly. Irish Government official have had tick-tack contact with Sinn Féin and have received the impression that "these people" won't do anything in regard to decommissioning.

5. Mr. Gallagher confirmed that the stark message from Sinn Féin was that they won't do anything before 12 February. However, the republicans were under pressure. They may say that the IRA will work with General De Chastelain to put arms beyond use within a specific time frame. The view of Adams is that this would be too strong a formulation but even if it could be got, it might well not be enough for Trimble and the Unionists. According to a report that morning from Bill Jeffrey of the NIO, Trimble and Empey, who had been talking to Secretary of State Mandelson that morning, were despairingly angry. We had no evidence that decommissioning would happen in May. If it did not, it would run counter to the three principles agreed on 25 June, 1998, which included that decommissioning was to happen by May, 2000. On the day those principles were agreed, Mr. McGuinness had told the Taoiseach that that principle was a Sinn Féin commitment.

6. Mr. Mallon said that he had spoken to General de Chastelain briefly at his request during the week. The General had sounded in despair. He had said he was very seriously considering a timetable between now and May. He indicated that he was going to try to pull any positive bits and pieces he could together for his forthcoming report.

7. The Taoiseach commented that the republicans are not talking about May 2000 as a horizon for decommissioning. Mr. Hume referred to the language on decommissioning in the Good Friday Agreement referring to all parties using their influence to the utmost to bring it about. He had put it to Adams recently that the IRA should put

©TSCH/2023/154/31

indications to the General that would enable him to make a positive report; and

- the IRA should tell the General that they will make a gesture in the near future and then go on to plant a non-bomb, i.e. a pile of Semtex on a hillside.

Adams had faxed him a copy of his speech delivered on the evening of Thursday, 27 January. This seemed to be intended to be helpful but it contained no timeframe.

8. Ms. Rodgers noted that on the media the previous evening, Messrs. Maskey and McLoughlin were saying "we are only Sinn Féin". Mr. Gallagher commented that the General knows that words from Sinn Féin alone are not enough. Ms. Rodgers commented that a speech from Adams repeating that Sinn Féin were committed to decommissioning was no good to Trimble.

9. Mr. Hume said that Sinn Féin are saying that the Unionists were introducing new, non-agreed deadlines. The Taoiseach recalled that he had despaired on the day of the Ulster Unionist Council meeting when he saw February being unilaterally brought in. Ms. Rodgers asked (rhetorically) if Trimble could have got the necessary vote had he not resorted to that play. The Taoiseach responded that Trimble's indication to him on that had been "no". Mr. Farren noted that apart from that aspect, General de Chastelain was, under the Mitchell Review, to report in January in any case. He (Farren) found it hard to understand why an interlocutor was appointed by the IRA if there was to be no follow-up. Mr. Gallagher noted that nothing relevant or significant had happened at the meetings between the Commission and the interlocutor. It is clear the latter goes to the meetings with a predetermined mandate to which he rigidly adheres. Any scope for manoeuvre would have to be explored in meetings with republicans outside that framework. Mr. Hume noted that Adams is saying that a deal on decommissioning would require an Army Convention and that were such to be held now, there would be a serious risk of a split and of leakage to the Real IRA. The Taoiseach referred to recent statements by McDevitt and Ó Brádaigh and to intelligence information that there was a lot of activity, with people moving about. An example was the group in Limerick, whose arms moving activities had been intercepted by the Gárdaí.

©TSCH/2023/154/31

10. Minister Cowan made the point that there would be no prospect at all of decommissioning if the Executive was suspended. Mr. Mallon responded that he had never thought the issue was about decommissioning. There were many strands in the unionist attitude or motivation. There was, however, undeniably a genuine apprehension underlying the positions of non-political unionists - they would never be at ease with the new dispensation until a start was made on decommissioning. In addition, Trimble had built up the issue too much and could not now lose face without adverse consequences. Minister Cowan suggested that the aim had to be to get the most positive possible wording from de Chastelain, referring to the continued belief of the Independent Commission that decommissioning is still going to happen within the envisaged timeframe. The Taoiseach commented that Trimble needs a timeframe and a commitment from the IRA (i.e. not just Sinn Féin). Mr. Mallon said that Trimble was looking for any straw. The Taoiseach considered that it was at least positive that both sides were looking for a straw, with Sinn Féin/IRA trying to give a straw and David Trimble considering if the could take a straw that did not involve 'product'.

11. Mr. Gallagher said that if an IRA statement could get close to saying or clearly conveying that the 'war was over', it could have a powerful impact. Mr. Hume said that he had been proposing to Adams that the republicans should say, in a statement, that the guns are silent and will remain silent. The Taoiseach recalled that when in South Africa he had talked at length to the two ANC negotiators, who had done the work for the ANC on the decommissioning issue. They had done a lot of work on modalities as to disarmament but, in the end, had never actually decommissioned, as sufficient trust had grown, without the need for it. Ms. Rodgers emphasised that what was at issue was confidence. If communities could get this, it would suffice. Mr. Farren noted that the Unionists are swallowing the British Government decisions on the implementation of Patten. Minister Cowan noted that the Patten Report had been debated in the Assembly, where the debate had allowed people to blow off steam. He wondered whether Trimble's motion to take note of de Chastelain's report also had the same motivation of letting people blow off steam. Mr. Mallon speculated that Trimble was probably getting in before Paisley, McCartney, etc. could pre-empt the position. He might also be trying to flush out the positions of those in his own party group in the Assembly.

©TSCH/2023/154/31

12. Mr. Mallon asked how far the Government had any indications from Mr. Mandelson as to his mind. The SDLP Minister had met him the previous Monday but he was giving very little away, although clearly very concerned at the possibility that Trimble might activate his post-dated resignation. He (Mallon) though that Trimble would not resign, he would press Mandelson to suspend the institutions. Mr. Gallagher said that Mandelson did not know, as yet, what he would do. He (Gallagher) thought that Mandelson would go to great lengths to sell anything he could get from General de Chastelain. Mandelson would not want a razor blade between the two Governments. He had begun to sound out Trimble and Empey as to their reaction if a positive report came from the Commission but no actual product.

13. Mr. Mallon said that this was crucial. Trimble has written a letter of resignation to his party - but he would not resign if Mandelson was holding a card saying "I'll suspend, to save you having to resign". This comfort blannet weakened the pressure on Trimble. The latter had put a position to Mandelson, that he should suspend the Assembly and the Ministers but not the First Minister or Deputy First Minister, who would be subsumed into the Northern Ireland Office. He (Mallon) had declined to support that approach. It was his belief that if some of the comfort zone for Trimble were removed, he would be less likely to resign. Mr. Hume commented that Trimble was engaging in tactics rather that strategic thinking. Mr. Kirwan indicated that Trimble's letter of resignation was dated 4 February but that he had indicated, before Christmas, a readiness to extend that to 7 February.

14. Dr. Mansergh noted that the evident main purpose of the meeting Trimble had sought with the Taoiseach was to get the Irish Government on board for suspension. Mr. Mallon said that were lots of references to the SDLP joining with the UUP and DUP in the Executive once the republicans were deemed to have defaulted. However, he (Mallon) had made clear to Mandelson that the SDLP would not be relied upon to "do the decent thing". He had told Mr. Trimble some hours previously "don't even think about it". The Taoiseach felt one could not be so sure that Trimble would not go ahead with his intention to resign, if he was in the situation where he would have to go back to the Party, with less available that he had put forward as the Unionist bottom line. Mr. Mallon said that he would risk a few pounds to bet that Trimble would not resign.

©TSCH/2023/154/31

15. The Taoiseach said that if that bet was not correct, the proper approach was to work harder on Mr. Gallagher's scenario. There would have to be timeframe. Without this, Trimble could not accept another review. Mr. Kirwan noted that Trimble could not go outside the May timeframe. Dr. Mansergh posed the question as to whether if Trimble fell and Donaldson took over the Unionist leadership, he would negotiate or walk away. Mr. Mallon noted that if John Taylor were to take over leadership, he might well have no compunction in negotiating a way back into the Executive. Mr. Hume noted, however, that the issue in prospect was the resignation of Trimble as First Minister, not as leader of the Ulster Unionist Party. The Taoiseach commented that in his view Trimble would, in that eventuality, step down from all his positions. Others present agreed. Mr. Gallagher noted that Martin McGuiness, who was concentrating on his position as Minister, was missed in the current round of contacts.

16. In further discussion on IRA intentions, Mr. Gallagher said they would only decommission in the longer term, well beyond next May. The Taoiseach, agreeing, said that their analysis is that when they believe confidence in their constituency has reached a certain level, they will hold an Army Convention, to reach the only logical conclusion that they should fold their tents and that the logical consequence of that would be divestment of arms. Mr. Farren said they would never spell out that analysis but was it possible to distil a message of confidence out of that analysis.

17. Mr. Mallon said that in London people accepted that the Sinn Féin analysis was, in the abstract, the best way forward on decommissioning. But if they would not do something that would politically allow the unionists to work the institutions, confidence could not be built from the operation of the institutions. That is what the Republicans were leaving out of the equation. The Taoiseach said that there has to be a message that will give confidence to unionists, that they will get some delivery on decommissioning. At Hillsborough last Spring, with the idea of all sides making arms available to be used for a sculpture of reconciliation, there was an opportunity for a gesture from Sinn Féin but that opportunity was not taken. It would be necessary to keep tick-tacking over the weekend.

18. Turning to the wider scene, the Taoiseach asked how was the Executive working? Mr. Mallon said very well. The Unionists had taken up the North/South dimension with enthusiasm. Trimble's complaint after one

©TSCH/2023/154/31

Executive meeting was that he could not stop Empey talking on about his report on his meeting with the Tánaiste. In his proposals for North-South co-operation in the field of education, McGuiness had put every last piece of existing co-operation in, without demur on the unionist side.

19. It was starting to work in a very substantial way. There were, of course, teething problems in what was, after all, a four-party coalition. There was also an element of tedium in all the procedural steps in operating a cross-community Executive. But it was starting to work and confidence in it on the ground was beginning to develop. If it were now to collapse on the decommissioning issue, it would take the guts out of everything. The IRA are putting us all in the position that they are God.

20. Ms. Rodgers agreed that the experience to date had been positive. She instanced that she was to come to the South for an IFA dinner. The Ulster Farmers Union were in touch to say that, at the next occasion, their President wanted to come down too, to have a quadrilateral session. Mr. Farren said that if the proverbial man from Mars were to come down and observe the Executive discussions, he would be unable to put any party labels on the participants.

21. Mr. Mallon noted that when Trimble made his report to the Executive on the inaugural summit meeting of the BIC, most interest had been focused on the development of the inter-partliamentary dimension. There were some thorns - some self- inflicted. One area that came under the Office of the First Minister and Deputy First Minister was nominations for honours. He (Mallon) had made clear that he would not nominate anyone for honours or promote honours, in which he did not believe, but that he would not stand in the way of any person nominated by a Department getting an honour. Ministers McGuiness and De Brún had, however, said they would not permit their Departments to make nominations.

22. On the issue of flying flags from public buildings, the Executive had got legal advice, from the Civil Service legal advisers, that the "command of the Queen" does not apply in Northern Ireland. In the absence of the Executive taking a decision, it will become a matter for each Minister. The issue had the capacity to be controversial for a further 10-15 years. The Taoiseach asked "Why not design a new flag?"

©TSCH/2023/154/31

23. Mallon said that another issue of concern to Trimble was the handling of St. Patrick's Day in Washington. His focus here was on the flags on display on Capitol Hill, hitherto the US flag and Irish tricolour. He had commented that there was such a thing as parity of esteem. He (Mallon) had offered a deal - parity of flags in Washington for parity of flags at home!

24. Mr. Hume asked what was happening as regards representation or facilities in Leinster House for Northern elected representatives. The Taoiseach responded that Deputy Brian Lenihan's Committee on the Constitution was working on it and that "we don't want to go over the top". One suggestion was that blocks of time would be allocated for debate in the Dáil on the working of the North/South Ministerial Council, with participation by Northern Ministers. Reciprocal rights on facilities were also being considered and the committee had met a group of UUP Assembly members, brought to Dublin by David Trimble.

25. Mr. Mallon asked what plans had we for commemoration of the Act of Union 1800. The Taoiseach noted that financial support was to be given to two or three conferences on the subject. Mr. Mallon said that Trimble had ideas re official commemoration which he might put to the Government here. He (Mallon) assumed that we would not be in a hurry in responding. The Taoiseach confirmed this.

26. The Taoiseach, reverting to current events, undertook to keep in close contact over the weekend.

27. Mr. Hume asked what should the SDLP say to the waiting media. The Taoiseach suggested accentuating the positive, all the progress made, the continuing cessations of violence, the work of the Executive and the other institutions; and looking forward to the resolution of current difficulties, working with General de Chastelain. They could say that the latter's report was awaited and that all were committed to finding a way forward. This was agreed.

Walter P. Kirwan,
Assistant Secretary,
Northern Ireland Division.
2 February, 2000.

©TSCH/2023/154/31