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North/South Joint Secretariat
Armagh

25 February 2000

For Sec Gallagher
From T O'Connor, Joint Sec

Conversations with Séamus Mallon and Mark Durkan

1. I was in touch with the above yesterday (Durkan on the phone and Mallon over dinner). This note sets out the main points to emerge.

Séamus Mallon

2. Mallon was in relaxed, if somewhat sombre, mood. His instincts are that the current difficulties cannot be resolved in the short term and that we are all in for a long and difficult haul. Referring to the meeting with the Government last week, he ruefully observed that what he had to say would not make him popular. My sense was that he appreciated the opportunity to put his views frankly to the Taoiseach and the Minister, that he had now "said his piece" and that he wanted to move on.

Peter Mandelson

3. He oscillates between Peter Mandelson and Sinn Féin in terms of whom he believes bears the greater responsibility for the current impasse. He believes that Peter Mandelson made a profound mistake in suspending the institutions in

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the way that he did. He was now "damaged goods" in a very serious way in terms of his tenure as Secretary of State. The way in which Mandelson had "sided with unionism" on the issue had had a profound impact on the wider nationalist community. One of the effects of this was there was now little support in that community for decommissioning by the IRA in current circumstances (ie as a unilateral gesture in advance of the re-instatement of the institutions).

4. Mallon also argued that the logic of Mandelson's position was that just as he had given Trimble a lock on the start to suspension, he had also given him - and the Ulster Unionist Council - a lock on its ending. I suggested to him that while that was undoubtedly one reading of the situation, it was also possible that, even if we disagreed with Mandelson's decision, one potential consequence of it was that, by "standing by" Trimble at a very difficult moment, he had now built up credit with unionism which would give him a very strong hand when it came to delivering a package for re-instatement of the institutions (ie "I stood by you, David, at a very difficult moment because I believed the circumstances were wrong; I now believe the circumstances are right and I call on you re-enter the institutions" etc). Mallon, while conceding that this was a possibility, was sceptical that it would happen in practice.

Sinn Féin

5. By the same token, he believes that Sinn Féin have a lot to answer for in the current circumstances. He believes that they have effectively handed "unionism its first victory in 30 years". He was scathing about what he believes is the bad faith they have displayed in terms of the Mitchell Review - "I recall what George Mitchell told me privately was the understanding and I listen to what Sinn Féin are saying as their interpretation. I have no doubt as to whom I

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believe". In blunt terms, he argued that Sinn Féin "broke their word". Referring to the increasing bad blood between Sinn Féin and himself, including now in public, I tried gently to tease out whether there was a possibility of healing the rift. He gave me no reason to believe that anything was likely in the short term. He acknowledges that John Hume has a different position to him in terms of the attitude to Sinn Féin, but he is clearly not for turning on his own view as matters stand.

The Future

6. Mallon does not accept the view that we would be worse off today if Trimble had resigned on 11 February. Certainly, we would be in a crisis, but it would be a "healthier crisis" than the one which we are currently in, with the UUP and the UUC effectively being placed in a privileged position *vis-a-vis* everybody else in the process, and with no incentive to them to move from that position. He accepts that unionism is split down the middle on the Agreement, but believes that the question of whether or not unionism wishes an accommodation with nationalism has not yet been definitively tested. He feels that had Trimble resigned, we would finally have got to see clarity on that issue.

7. As he wrote in the *Irish Times* last week, he is strongly supportive of the concept of a call by the two Governments as the only way forward. He accepts that it may not work, but it would at least bring all of us to a point of "knowing where we stood".

8. He surmised that the annual St Patrick's Week in Washington would be a time of heightened activity, and expects President Clinton to be heavily involved; he is, however, sceptical that movement that would not otherwise be forthcoming

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can be achieved in that way.

9. He is sceptical also about calls by John Hume and Mark Durkan for a collective process at them moment, involving the two Governments, all the pro-Agreement parties and General de Chastelain. He remains to be convinced that such a process would contribute significantly to a resolution, because people would not reveal their hands in such a forum. (See below). His preference remains for an initiative by the two Governments directly to bring matters to a head, one way or the other.

Conversation with Mark Durkan

10. I had a telephone conversation also with Mark Durkan yesterday. He believes that a strong onus rests with Mandelson and Trimble to show that they are serious about a quick re-start to the institutions. He said that they need to dispel a perception (which has been deepened by the recent foreign travels of both) that the resumption of the institutions was a not a matter of urgency for them. This, in turn, had fuelled suspicions that other games were being played in instituting suspension (eg that Trimble's tactic is to play all of this long, beyond May 2000). In particular, Mandelson needed to demonstrate that there was a "suspension bridge" - that he had a strategy for ending as well as beginning suspension.

Collective Meeting

11. Durkan made a strong plea for an initiative by the two Governments to bring all the pro-Agreement parties together for a meeting which would be attended also by General de Chastelain. The following are the main features of his proposal:

- The meeting would be chaired by the two Governments;

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- Its purpose would be to renew the collective ownership of the process by all the participants in the Good Friday Agreement and binding everybody into the way forward;

- The starting point would be the three principles of the Mitchell Review. All parties would renew their commitment to those principles (or indicate if the had a difficulty with any of them);

- For his part, General de Chastelain would give an outline of his recent efforts, and how he proposed to proceed, and seek a renewed collective declaration of support by the parties for his mandate, and for a call by him to the paramilitaries to resume co-operation with the Commission;

- Durkan believes that this would be helpful to Sinn Féin, because it would underline the collective nature of the use of influence;

- It would be important, in terms of the independence of his office, that there was no sense that General de Chastelain was being "cross-examined". Judicious chairing by the two Governments could see to that;

- He argued that there was a precedent for de Chastelain meeting the parties collectively - during the Multi-party Negotiations, the General attended the Liaison Committee and that format worked well;

- The General's attendance at such a meeting would give tangible expression to the centrality of his role on the decommissioning issue;

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- Durkan felt that an outcome of such a meeting (or series of such meetings) would be a collective declaration by all the participants of renewed commitment to the Agreement, to the three principles and to the role of the General on the decommissioning issue. Such a declaration could form part of an eventual package in terms of re-instatement of the institutions.

12. This proposal appears to be supported by John Hume, but, as I mentioned, Séamus Mallon is doubtful whether it would have a meaningful impact. Durkan feels that it would have one major advantage - "instead of whinging on the sidelines, all of us would have ownership of the search for a resolution".

END

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