

An Chartlann Náisiúnta
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Meeting between the Taoiseach and the Prime Minister

Venue: No 10 Downing Street
Date: 31 July 2000
Time: 1:00pm to 2:30pm
Present: Irish Side: Taoiseach, Dermot Gallagher, Daithi O'Ceallaigh, Martin Mansergh, Ken O'Leary, Ted Barrington
British Side: Prime Minister, Jonathan Powell, Bill Jeffrey, notetaker.

Dissidents

The meeting began with a consideration of the strength of the dissident groups on the republican side. It was generally agreed that the Real IRA had about 150 activists, North and South, with the British side feeling that they had about another 400 supporters. While the political wings of the Continuity and Real IRAs were separate, at the paramilitary level the two organisations were cooperating to the point where they could be considered as having fused. The Prime Minister said that the British were certain that the Real IRA had an active service unit operating in Great Britain. He was concerned about the possibility of a Real IRA success over the Summer and, amongst other things, the impact any such action would have on Trimble's position. The Taoiseach confirmed that the security forces in the Republic were pressing down hard on the organisation and would continue to do so; he instanced the arms find in Croatia as an example of success. Jeffrey recalled the agreement reached on Friday between Minister Cowen and Mandelson to consider a joint approach to the United States about fundraising for the Real IRA.

OTRs

Blair said that the issue was proving more difficult and complicated that he had originally thought. For example, even if the British dropped their extradition requests those on the extradition list would still be subject to arrest in the UK, including in Northern Ireland. The alternative approach - legislation which would in effect grant an amnesty - would be difficult in terms of Parliamentary and public opinion, particularly since the issue had not been covered by the Good Friday Agreement. The prisoner releases last week had not been popular. Furthermore, while he recognised that the OTRs were an anomaly he was reluctant to take action that would destabilise Trimble. The OTR issue was still under consideration by the Attorney General and he could not say what the outcome would be. Powell added that the AG's decision, which would be made in the next three weeks, might not be favourable.

Gallagher said that legislation would be the neatest and cleanest way of handling the matter, and he suggested that it might be more acceptable it if it were situated in the context of other positive developments, eg, Sinn Fein's commitment to the process, the good working of the institutions, no significant slippage to the Real IRA, another CBM and a positive de Chastelain report. The principle could be announced now, and the legislation introduced later when the climate was more favourable. Blair took the point. His feeling was that in the end the only way might be through legislation and it might be best to be up front and open on the need to remove the anomaly. He intimated that he would consider this. In the meantime the British could send a signal, for example by taking action on the extradition side.

There was some discussion of the circumstances in which those on the extradition list would have the threat of arrest if they entered the UK removed. Jeffrey confirmed that they would need to enter UK jurisdiction to do this. At the Taoiseach's suggestion it was agreed that the British side would draw up a document setting out the requirements and the procedure involved.

The Taoiseach raised the problem of individuals who had never been arrested or convicted but who nevertheless were concerned that they might feature somewhere on security forces lists. He was aware of a number of people who might have committed minor transgressions in the past and were afraid to return to Northern Ireland. How could such people be reassured that they would not be subject to attention by the security services? The British confirmed that the only list that they were aware of was the 35 or so OTRs, but they suggested a confidential procedure under which the names of individuals communicated by the Irish side would be checked discreetly by the British.

Demilitarisation

The Prime Minister said that David Trimble would need something more on CBMs in September if he were to get through his party conference in October. The Taoiseach said that action on OTRs and further progress on demilitarisation would be important for another CBM. He acknowledged that some progress had been made, including the removal of the Sangar in Crossmaglen. But further measures were essential. As a start he suggested the removal of five points on the border with Fermanagh. The paradox was that the situation in South Armagh had disimproved from the point of view of republicans there. For thirty years there had been no British army presence on the ground. Now, as a result of the ceasefires and the Agreement the security forces were active and visible. This played into the hands of the Real IRA. The vast bulk of republicans in South Armagh were behind the process but it was essential to ensure that the main republican families in the area did not move to the Real IRA.

Police Bill

On the name issue the Prime Minister said that it was important to leave the Unionists with something. We needed to make it clear that RUC was not the name that was used, but that at the same time it was not being erased from history. The problem with the definitional amendment, which he had not seen until after it was tabled, was that it was not clever enough. The Unionists knew that the RUC name would not be permitted as the name of usage. The Chief Constable agreed that the force could not have a dual name. But the Unionists did not want their faces rubbed in it. The Governments' approach needed to be smarter. If David Trimble could not have a face saving formula on the name we were in real trouble. We needed to help him through the by-election and his party conference and to ensure that he was strong enough to face a General Election (Blair said that they would be in election mode from about the middle of next year). Trimble's essential requirements were: a second CBM before October, and not to be rolled over on the Police Bill. He needed to be able to say that the RUC was not being disbanded; this was consistent with Patten. Blair hoped that nationalists would understand this and he hoped that there was no desire on the side of nationalists to be seen to inflict a defeat on Unionism. In his view Clause 1 as it stood could be presented as a victory for nationalists, but Seamus Mallon was being very difficult. He outlined the

problems facing the Government in the Lords arising out of its minority position. He floated the idea of review commitment with the following elements: there was a political deal that there was no dual name; only one name would be used; and if the deal were broken the Government would commit itself to introducing amending legislation.

The Taoiseach said it was important to identify the essential points and to focus on them. He instanced - name, flag, emblems, reserve, Special Branch. He suggested that in early September officials from both sides get together to work on a package embracing the essential elements, otherwise the issue would linger on without resolution. This could be followed by a Ministerial level meeting and if necessary by a meeting with the Parties to record agreement. In response to Blair's point about nationalist attitudes the Taoiseach said that he had no sense that the leaders of nationalism and republicanism were in any way triumphalist. Gerry Adams wanted the police reform to work and genuinely wanted a police service that young nationalists could join. Seamus Mallon too wanted reforms that he could support, but he could not commend a force that was seen as inadequate by nationalists and would make him look, after his years of commitment and work, like a Gerry Fitt figure.

The Prime Minister agreed with the Taoiseach's proposal. He was coming to the view that the problem could not be resolved by clever legislative drafting now. Probably what was needed was some explanatory paragraphs which would look at the issues from a political dimension and explain what the legislation actually meant. The two Governments could work on this approach in early September.

The Taoiseach raised the opposition to 50/50 recruitment in the House of Lords. Blair confirmed that he had a problem with the Liberal Democrats on the matter and undertook to talk to Charles Kennedy.

Commons Facilities for Sinn Fein

The British side undertook to raise this with the new Speaker, who they hoped would take a more flexible attitude than the outgoing Speaker, Betty Boothroyd.

Ted Barrington

Edward Barrington
Ambassador
31 July 2000.