

CONFIDENTIAL**10 DOWNING STREET
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From the Principal Private Secretary

7 May 1998

*Dear Ken,***MEETING WITH THE ORANGE ORDER**

The Prime Minister met a delegation of five from the Orange Order this morning: Robert Saulters, John McCrae, Denis Watson, George Patten and Michael Bishop. Dr Mowlam, Jonathan Powell and I were also there.

Saulter began by thanking the Prime Minister for the meeting. The Grand Lodge was a religious organisation, not a political one, but the Northern Ireland agreement was so important that the Lodge thought they should take a view. When they had met on 15 April, they had decided to seek clarification. There was a particular pre-occupation about decommissioning, not least following the contradictory statements of the past few days. Where did things stand?

The Prime Minister said that the Independent Commission would be setting out a clear timetable and steps to fulfil it, and the process should be completed in two years. It was not a voluntary process, but part of the agreement. If it did not happen, it would be a breach of the agreement. Our aim was to detach Sinn Fein from violence for good. People naturally asked whether the end of violence was genuine, or tactical. Decommissioning was one element of the proof that it was genuine, but not the whole story.

McCrae said that the IRA denied any intention of decommissioning. Mitchell McLaughlin had said that they would only decommission when the British Army left. The Prime Minister said that was why he had made clear that the whole package had to be accepted, so that Sinn Fein could not claim any misunderstanding of what they were signing up to. He saw a clear difference between the situations before the agreement was confirmed by a referendum, and afterwards. There was clearly a distinction within Sinn Fein between those who wanted to join democratic politics and those who never would. After the agreement had been confirmed in a referendum, there would be a different order of obligation on Sinn Fein to end violence. This went beyond decommissioning. He understood concerns that the agreement's existing provisions would not be

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able to act effectively because verbal assurances from other parties would not be bankable. We were therefore looking at how to put some more firmness into this. We were already committed to reviewing the position after a few months, but would be reflecting further as a result of the concerns which had been expressed. It was also relevant that all the parts of the agreement were linked together, with mutually assured destruction or mutually assured success built in. If Unionist representatives were placed in an unacceptable situation, they could bring the agreement down. But they rightly did not want to be obliged to press this nuclear button. That was why we were looking at other assurances. It was worth mentioning that one of the UUP's previous concerns, about the ability of the two Governments to override any agreement between the parties, was clearly not in the agreement. Nothing could be imposed on the Unionists, or anyone else.

McCrae raised concerns about how the organisation for cross-community voting in the Assembly would work. The Prime Minister said that without some form of cross-community provision, the agreement would fall to pieces. If there were a simple majority system only, and the Nationalists felt it was being abused, the Assembly would collapse. At the end of the day, the agreement would only work if people wanted to work together. But where there were sensitive issues at stake, cross-community decisions were undoubtedly needed.

Patten said that when the talks had been halted for one reason or another, the two Governments had made sure the process got back on the rails. Would they not do the same for the agreement? The Prime Minister said that clearly the Government would try to pick up the pieces but if the agreement was not working in a serious way, we would almost certainly have to go back to the drawing board. In any case, while the talks had designed a building, this building was not yet built, let alone furnished. It was the people and politicians of Northern Ireland who had to do it.

Watson asked whether the North/South Council could reach agreement only by unanimity. The Prime Minister confirmed this. Moreover, the Council was accountable to Parliamentary institutions on both sides, and could not operate independently of them. The Council could not dictate in any way to the Irish Parliament or to the Northern Ireland Assembly. There were nevertheless incentives built in to encourage the two sides to co-operate in both the Assembly and North South Council.

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McCrae asked whether the fact that the Council had limits on its authority meant that they had executive powers up to this limit? The Prime Minister repeated that the Council could not operate independently of Parliamentary accountability. Clearly, the legislative bodies on both sides could not control every single detail. Clearly also the implementation bodies themselves were supposed to do things. But there was no question of executive powers independent of the Assembly and the mandate it gave its representatives.

Watson asked about the referendums on a united Ireland provided for in the agreement. Was the decision on this solely for the British Government, or would the Irish Government or the North/South Council have a role? People feared that in thirty years time, the nationalists might have the majority and insist on using it.

The Prime Minister said that the seven year interval between referendums was supposed to reassure people that this was a minimum gap. We had no plans to hold a referendum at all and there was certainly no requirement to hold one every seven years. Dr Mowlam added that the situation in 2025 ought to look very different. Moreover, the polls showed that 10-15 per cent of the Nationalist community wanted the Union preserved.

Bishop raised Ahern's remarks that the British Government and Parliament were now out of the equation on the future of Northern Ireland. The British Government had not contradicted this. The Prime Minister said that we had made it clear that this was wrong, but he was ready to say so again. Ahern had presumably been referring in a slightly odd way to the consent principle. But it was clearly nonsense to say the British Government and Parliament had no role.

Saulters said that Northern Ireland seemed to be seen by most people in Britain as a burden. The Prime Minister said that this was not the case. Most people in Britain were happy if the people of Northern Ireland chose to stay in the union. He had made clear himself he valued the union. He had devoted huge time to Northern Ireland. But he was struck by the feeling in Northern Ireland that people in the rest of the UK did not care. He also understood the need for cultural recognition of Unionists too.

Bishop raised prisoners. While it might be true that some would get out relatively early in any case, some were guilty of the most hideous crimes, for which they had not repented. They were being granted a privileged status

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compared to other offenders. What copper-bottomed guarantee could be offered about them not re-offending?

The Prime Minister said this was the most difficult issue, but prisoner releases had always played a part in similar situations around the world. Releasing the prisoners did not mean we thought any better of them, but it was important to understand that this was not an amnesty, nor unconditional release. The organisations concerned had genuinely to have given up violence, each case would be reviewed individually and prisoners would only be out on licence. No doubt it would be nicer not to be in this situation at all. But we would not have got an agreement without this. Moreover, as Prime Minister of the British Government, he had no interest himself in a situation where prisoners were out and violence continued.

Bishop said that he could not vote for the agreement because of the prisoners issue, as someone who valued justice and as a practising Christian. The Prime Minister said that he understood, although he had reached a different judgement himself, as someone also interested in justice and as a practising Christian. His view was that this was the best solution to avoid more violence and bloodshed in the future.

The Prime Minister raised the question of Orange Halls insuring against damage to them. This had been raised with him by young Unionists the previous evening. McCrae said that there was indeed a problem about this, which he had taken up with the Chief Constable in the past.

McCrae went on to ask what proof there was against future uprisings. The Prime Minister said that prisoners released would only be out on licence. If they went back to violence, they would be back in jail. There was no amnesty, and 10 April was a cut off date for offences. Moreover, people who had committed offences in the past but not been caught and prosecuted at the time, could still be prosecuted and sentenced now. If the prisoners released tried to train up the next generation of terrorists, they also would be back inside.

Bishop said that British Governments had not in the past showed any resolve to tackle violence seriously. Why should it be different in the future? The Prime Minister said that past British Governments had been, frankly, hindered by the perception in some minds, not least internationally, that Sinn Fein somehow had a respectable case and that violence somehow had some justification. But once the referendums were through, violence could have no

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respectability left anywhere. That was also the US view. That was why it was so important to get the agreement through, not least because it enshrined the principle of consent.

McCrae asked whether the agreement itself could be changed. The Prime Minister said that it should not be regarded as written on tablets of stone, but it could not be changed. It could however be clarified, for example in legislation.

The Prime Minister went on to mention concerns others had expressed about victims of violence. He was considering with the Chancellor whether to offer more finance for this. McCrae welcomed this but referred to apparent threats to people like himself from the Loyalist parties. Dr. Mowlam said she would look into this.

Comment

This was a friendly enough meeting, and the Prime Minister was able to deal with the concerns raised in a reasonably convincing way. But getting the Orange Order on board may nevertheless prove too big a hurdle. They left a little door open in their comments afterwards, and planned announcements next week may help, but it will still be uphill work. The meeting was nevertheless well worthwhile.

I am copying this letter to John Grant (Foreign and Commonwealth Office), Jan Polley (Cabinet Office), Sir Christopher Meyer (Washington) and Veronica Sutherland (Dublin).

**JOHN HOLMES**

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