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to new union
Brent for union

bcp McFadden

M Bakerham
JP, AC, PB

From the Principal Private Secretary

31 March 1998

Dear Gen,

**NORTHERN IRELAND:
CONVERSATION WITH SENATOR MITCHELL, 31 MARCH**

The Prime Minister spoke to Mitchell on the telephone this morning for just over 10 minutes. Mitchell said he thought there was a realistic chance of agreement, but the two sides were still far apart on a couple of major issues.

The Prime Minister made clear that he had no intention of "taking over the chairmanship". He thought that he and Ahern might have to come to Belfast to help the negotiations at the last, although he had no particular desire to do so if it was not necessary. On the North/South front, differences were being narrowed down gradually, one of the key issues being how many implementation bodies there should be, when, and to whom they should report. In Strand 1, the key issues were how to build in a cross-community safeguard, and what sort of arrangements there would be to control the government of Northern Ireland. In some respects the parties were close, but in others they were very far apart. Sinn Fein clearly wanted to be in the settlement, but they might ask too much. Meanwhile, Ahern's apparent suggestion of a poll every five years would be a show-stopper. Mitchell commented that the Union reaction to this idea had been so immediate and so fierce that he was pretty sure it would not be pursued. In any case, the idea seemed to have taken the Irish delegation in Belfast by surprise. The Prime Minister said that our idea was to say that, if a poll was held, another poll could not be held for at least five years. That was rather different.

The Prime Minister continued that he saw his task as bringing Trimble towards a reasonable deal. He saw this as Northern Ireland remaining in the UK, but with a genuine commitment to equality and a genuine North/South dimension, taking account of Nationalist concerns about their identity. Mitchell agreed this

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was the essence of the deal. The North/South body had to be more than purely consultative, as Trimble wanted to keep it. The Prime Minister agreed. He had talked to Trimble about a situation where the Council itself took decisions and set up implementation bodies, but was not itself a body executing Government functions. The implementation bodies, once set up, would have to be able to function without obstruction.

Mitchell said he thought this might be acceptable to the Nationalist side, as long as it was clear that the implementation bodies would be in existence at the beginning, or were bound to come into existence quickly. Trimble's safeguard was that nothing could be done without the agreement of the Assembly. He argued that he could be pressured into concessions, but this was a poor argument. It was clear that the Prime Minister's involvement in one way or another would be crucial because of his relationship with Trimble.

The Prime Minister said that Trimble's safeguard was indeed that all authority ultimately came from the Assembly. What he should give in turn was a real pledge of co-operation with these bodies. He thought he could get Trimble to accept that there had to be some implementation bodies at the beginning, as long as it was clear that the Assembly ultimately had to agree. Mitchell repeated that this would go a long way. But the difficulty was writing it down, when each side had its own particular vocabulary. Finding neutral words with real meaning to both sides was hard.

The Prime Minister said that he would be talking to Hume and Ahern and would try to get agreement on words to cover the North/South area. Mitchell said that, if the Prime Minister could achieve this, the negotiations would be "on the down-slope". He wanted both Governments to give him texts, as far as possible, on Thursday. He would then give a text to the parties on Friday, hold bilaterals with them over the weekend, and table a final text on Monday. The next three or four days would then be used to bring the negotiations to a conclusion.

The Prime Minister said that he agreed this was a reasonable framework. Mitchell said that he thought we were on the right track on the North/South front. Ahern was having difficulties over his constitutional change, and needed decent North/South arrangements to balance this. As the Prime Minister had said, the other sticking point was the safeguards in the Assembly to prevent simple majority rule. Some kind of sufficient consensus arrangement was needed. This was a tough issue, but not as tough as the cross border stuff. The Prime Minister

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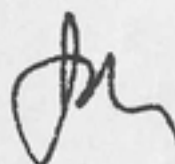
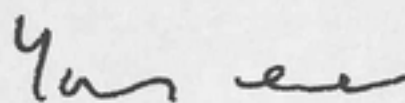
said that he was not sure whether this was just an argument about percentages, or whether a different mechanism might be needed. He could probably get the Unionists to agree a lowish percentage figure, but he realised this might not be enough to satisfy the other side. Mitchell said that he was talking to the parties about this issue during the day, and might have a better feel for this after that. The SDLP wanted a system where the majority of those voting from both communities had to agree on major decisions, although this left unclear how to define major decisions.

The conversation ended with agreement to stay in touch.

Comment:

Mitchell was friendly, and clearly focussing on the same issues as we are, with ideas which seem down the same track.

I am copying this to John Grant (Foreign and Commonwealth Office), Jan Polley (Cabinet Office), Sir Christopher Meyer (Washington) and Veronica Sutherland (Dublin) - the last two by fax.



JOHN HOLMES

Ken Lindsay, Esq.,
Northern Ireland Office.

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