

ULSTER UNIONIST PARTY

PRACTICAL DECOMMISSIONING...IMPLEMENTING "MITCHELL"

29 July, 1996.

**BACKGROUND.**

The Ulster Unionist Party was probably the first party to try to address the issue of Confidence Building Measures necessary to establish TRUST between the main traditions in Northern Ireland and, as part of that process, the need for the disarmament and disbandment of terrorist organisations.

In January 1995 the Party recommended, in a Paper to the Prime Minister, the establishment of a **DISARMAMENT COMMISSION** comprised of individuals who would have international standing and who would be tasked to achieve this objective.

By the end of 1995 our own Government, together with the Dublin Government had agreed to set up an **INTERNATIONAL BODY** with the more limited agenda of deciding, "the arrangements necessary for the removal from the political equation of arms..."

Ulster Unionists gave evidence to the International Body and submitted written evidence on 16 December, 1996.

We pointed to Paragraph 10 of the Downing Street Declaration as evidence of the agreement between the U.K. and Dublin Governments that decommissioning required parties to "establish a commitment to exclusively peaceful methods" and to show that "they abide by the democratic process".

We also made it clear that, "Whatever political accommodation may be possible, there can be no compromise on the fundamental issue of disarmament. There can be no justification for denying the people of Northern Ireland full and proper democratic standards".

That Body reported on 22 January, 1996 and its deliberations became known as the "Mitchell Report". On the basis of that report Ulster Unionists committed themselves to participate in these Political Talks and the associated Forum for Political Dialogue.

**THE REPORT OF THE INTERNATIONAL BODY**

The Report begins by recognising the U.K. and Dublin Governments' declaration of 28 November, 1995, launching a twin track process "to make progress in parallel on the decommissioning issue and on all-party negotiations".

The Report came to the conclusion that, "Everyone with whom we spoke agrees in principal with the need to decommission" and that there is "nearly universal support which exists for the total and verifiable disarmament of all paramilitary organisations". In response the Report (Para 20) defined 6 basic principles which



would be necessary for admission to a Political talks Process. These were intended (Para 32) to, "invoke a comprehensive commitment to democracy and non-violence that is intended to reassure all parties to the negotiations".

To move things forward the Report proposed that disarmament "would take place during the process of all-party negotiations, rather than before or after as the parties now urge".

Ulster Unionists, despite deep reservations and conflicting information to the Body's assessment of the then current attitude and activities of the IRA, agreed in principle to accept the Report as a compromise.

The IRA returned to its overt violence 18 days after the Report was published!

#### THE METHODOLOGY OF DISARMAMENT

The International Body has defined another group of principles to be applied on the modalities of decommissioning. First it advises (Para 38) that, "Decommissioning should receive a high priority in all-party negotiations".

Ulster Unionists accept this as crucial to political progress.

Those principles to be applied to the disarmament process are:-

- (a) The decommissioning process should suggest neither victory nor defeat.

Ulster Unionists agree...we wish only a peaceful environment.

- (b) The decommissioning process should take place to the satisfaction of an independent commission.

Ulster Unionists agree but are puzzled that the two governments appear not to have advanced plans for this.

- (c) The decommissioning process should result in the complete destruction of armaments in a manner that contributes to public safety.

Ulster Unionists agree.

- (d) The decommissioning process should be fully verifiable.

Ulster Unionists agree and believe that this will be an essential element in establishing confidence in the process.

- (e) The decommissioning process should not expose individuals to prosecution.

Ulster Unionists agree in practical terms. Forensic examinations would yield minimal returns in terms of the pursuit of justice for victims of terrorism.

(f) The decommissioning process should be mutual.

Ulster Unionists agree. This should ensure that neither side, in terrorist terms, is expected to act unilaterally. However, we also believe that progress, to agree principles and schedules, should be required from any group which has been admitted to the Political Talks.

#### CLARIFICATION (International Body)

Those who brought forward the Report are with us and can assure us on two points:-

"Decommissioning" means "the disarmament and disbandment of" as defined in the 6 Principles (Para 20).

"...some decommissioning" (Para 34) is not intended to contravene the Principle (b) in Para 20 or frustrate the "...nearly universal support which exists for the total and verifiable disarmament of all paramilitary objective". Can this reference to "some" be removed from the Report?

#### CLARIFICATION (The U.K. & Dublin Governments)

Ulster Unionist Party representatives have had meetings with the Leaders of both governments and other Ministers in order to raise the issue of the need for appropriate legislation to be enacted to facilitate the Disarmament Commission which was recommended by the International Body (Para 40).

Has this legislation been prepared; it is available for scrutiny by those of us who are tasked with negotiating here; what will be the timescale for implementing any proposed legislation?

Ulster Unionists also require to know whether the two governments have identified those "technical experts" who will comprise the Disarmament Commission proposed in Para 40.

Are the governments ready to appoint these people, "on the basis of consultations with the other parties to the negotiating process"? If so, why have 7 weeks gone by without any work having been done on this?

Have the two governments abandoned or sidelined this element of



the 28 November, 1995 Communique as quoted in Para 1 of the Report of the International Body?

#### **TWIN TRACK**

Ulster Unionists would suspect that there is a deliberate attempt by the two governments to slow or impede the decommissioning track of the process. If that is so then it is no longer a twin-track "to make progress in parallel".

#### **PROPOSALS**

Ulster Unionists wish to expedite matters so that meaningful political dialogue can commence in September. The preparation for "political track" has long been established and was tested in the 1992 Talks Process. How long do the two governments suggest that it will take them to ensure that we can catch up in respect of the "disarmament track"?

Is there any likelihood of progress by September? If not, how long are the rest of us going to have to wait till the necessary arrangements are in place?

Ulster Unionists believe that a DISARMAMENT WORKING GROUP of this Opening Plenary should be established immediately with the task of:-

- (a) Liaison with the two governments on the necessary mechanisms required to enable progress to be made on disarmament and on defining the Mission Statement for the DISARMAMENT COMMISSION.
- (b) Liaison with the Disarmament Commission to establish a basis whereby a scheduled agenda and an effective and regular system for reporting to Plenary can be put in place.
- (c) Reporting back to Plenary when the process is in place.
- (d) Bringing regular progress back to Plenary from the Disarmament Commission.

It is the Ulster Unionist Party's wish that such progress as can be made between now and the recognizing of Plenary in September should be undertaken and, in the interim, and would be this Party's intention to have representatives available in order to accommodate such essential activity.

## CONCLUSION

Now that Procedural Rules have been established the Ulster Unionist Party believes that there is no further excuse for either government to equivocate or delay the Political Process to which we have committed ourselves through acceptance of the Report of the International Body, submission to the decision of the electorate and by our presence here since 10 June last.