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Decommissioning Bill 1996

The Minister for Justice, Mrs. Nora Owen, T.D., today (11 December) published the Decommissioning Bill, 1996.

The purpose of the Bill is to enable effect to be given to the Report of the International Body which was presented to the Irish and British Governments in January last. The Bill will provide the statutory framework for detailed arrangements in relation to decommissioning of arms to be put in place when agreement on those arrangements has been reached.

The Minister for Justice recalled that the Report of the International Body, chaired by Senator George Mitchell, had been accepted by the Irish and British Governments and widely welcomed on its publication in January. That Report remains the basis on which the Government forsees progress on decommissioning being possible. She said that the Bill being published today was consistent with the terms of that Report and would enable effect to be given to the recommendations it contained in relation to the modalities of decommissioning. She went on to express the hope that the Bill's publication, and the recent publication of the corresponding British legislation - the Northern Ireland Arms Decommissioning Bill - would

facilitate progress being made in the Northern Ireland Talks so that substantive negotiations, including on decommissioning, could get underway quickly.

The main provisions of the Bill are:

- * to make provision for regulations to be made by the Minister for Justice in relation to the means by which arms may be decommissioned in this jurisdiction to include any or all the methods identified in the International Body's Report;
- * to provide for the establishment of an independent commission by agreement between the Irish and British Governments;
- * a prohibition on the taking of proceedings in relation to an offence, where the act constituting the offence, or an act that is an ingredient of the offence, was part of the process of decommissioning; and
- * a prohibition on the forensic examination or testing of arms made available for decommissioning, except in limited and specified circumstances, and provision that such arms, or information obtained in the course of decommissioning, will not be admissible by or on behalf of the State in proceedings for an offence.

11 December, 1996