

NORTHERN IRELAND FORUM FOR POLITICAL DIALOGUE

Decommissioning - Realities & Options, June 1997

A. UUP Stated Position(s)

The UUPs' stated position on the decommissioning issue is contained in two documents - "Addressing Decommissioning" and "Decommissioning - 12/11/96". The latter is a distilled version of the former. In summary we are publically committed to :

- 1)the establishment of structures to provide for actual decommissioning prior to the launch of the Strands;
- 2)the enactment of relevant enabling legislation in both the UK and Irish Republic;
- 3)a core/incohere Commission and
- 4)the publication of draft decommissioning schemes no later than the committee stage of the enabling legislations' passage.

Regarding Sinn Fein, the UUP has declared that it will not participate with that party until the beginning of actual decommissioning. Indeed, paragraph 3 of the 12/11/96 paper is an accurate policy statement :

"... Sinn Fein/IRA must begin actual decommissioning with a substantial tranche of guns, commercial explosives (eg Semtex) and bomb initiating materials before it can be admitted to substantive negotiations."

B. HMG/Irish Current Position

Current thinking by both governments is contained in the Joint Paper of 25/6/97 and the "Aide Memoire" sent to Sinn Fein. Two new bodies are to be established as part of the "negotiations as a whole" - an Independent Commission and a Committee of Plenary. The Committee would be subdivided into a Liason Sub-Committee and a Confidence Building Measures (CBM) Sub-Committee. These new structures would be

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launched with the Strands on 15 September 1997 and work simultaneously with the Strands. A review mechanism allows consideration of "developments across the negotiations as a whole."

The Independent Commission will consult widely with, inter alia, the Liason Sub-Committee and have due regard to those consultations before determining any decommissioning scheme(s).

The liason Sub-Committee is required to consider both its own decommissioning schemes and any produced by the Independent Commission. The CMB Sub-Committee "will be charged with assisting the implementation of all aspects of the Report of the International Body relating to further confidence building measures".

In the period prior to the launch of the Strands if there is an IRA ceasefire HMG would take six weeks to judge the quality of that ceasefire. During this six week period Sinn Fein would be granted all the facilities currently enjoyed by those participating at Castle Buildings including access to ministers, the chairmen and full office presence.

At the end of six weeks, if the ceasefire is "satisfactory in word and deed", Sinn Fein would be invited to a Plenary to sign up to the Mitchell Principles. The way would then be clear for an inclusive and dynamic process.

C. Analysis

If there is an IRA ceasefire Sinn Fein negotiators would be able to enter Castle Buildings immediately. As the past year has shown, the bulk of negotiations take place away from Plenary so the six week wait before inviting Sinn Fein to plenary is irrelevant. On day one of a new ceasefire Sinn Fein would be in the building and consequently the process without signing up to the Mitchell Principles or having the quality of their ceasefire judged.

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The proposed decommissioning structures do not offer parallel decommissioning but rather parallel talks about decommissioning alongside the Strands. It should be remembered that the Liaison Sub-Committee with which the Independent Commission must consult is subject to "Sufficient Consensus" and, if there is a ceasefire, will contain Sinn Fein representatives.

No party would be required to commit itself to actual decommissioning during the process. The Mitchell Principles contained within paragraph 20 of the International Body's Report are perfectly consistent with the Sinn Fein position of no decommissioning until after negotiations - the decommissioning process on offer could fail to come up with a scheme by May 1998 when the process is due to end. After all the Commission will have to consult a Sub-Committee that could be deadlocked. How would the review operate? If no scheme was finalised after the first two months what would happen? What would our political decision be if the Strands were moving forward without any weapons being handed over?

If the IRA ceasefire broke evidence from the past year indicates that Sinn Fein would be allowed to remain within the process. The precedents from the indictments of the PUP and UDP clearly show how this would be done. Could we then withdraw considering that we did not when the indictments against the Loyalists were dismissed?

D. Conclusion

Should Plenary accept the governments' conclusion on item 2(a) -(c) then there is every prospect of Sinn Fein negotiating the future of Northern Ireland while parallel talks about decommissioning drag on without rendering up a single bullet or ounce of Semtex. This is clearly at odds with UUP stated policy and would require a political volte-face of enormous proportions on an emotive issue. Worse still, those negotiations could continue to include Sinn Fein whilst there was an ongoing IRA campaign in the community.

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At the very least assurances should be sought on the following :

- 1)the Joint Paper envisages actual decommissioning parallel to the Strands;
- 2)the relationship that Sinn Fein has with the IRA is viewed by government as different to that between the Loyalist parties and the CLMC and
- 3)benchmarks will be used at the review stage that are consistent with our stated position.

Finally, the PM was equivocal in response to Saemus Mallon when asked if the Joint Paper was a firm position and not ammendable. This holds out some hope that UUP concerns can be accomodated. However, the Irish have in effect their "Fourth Strand" and I suspect will not move. We should ascertain at the earliest possible time the status of the Joint Paper. If it is indeed unammendable the dangers of proceeding have been outlined above. If it is ammendable then the September start date for the Strands is unlikely. Indeed, if it is ammendable then I suspect the SDLP will not "spend another month, two months, three months or six months dealing with the interminable ammendments and procedural devices that have bedevilled the issue" - they might just go down the steps saving us the opprobrium which is sure to follow.

29 June 1997
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