

30/6/97; FAO: D Trimble; From: DK

1. Clarification is required as to the exact date on which the Disarmament and verification commission can actually receive paramilitary weaponry. Under Section 7(5) of the Northern Ireland Decommissioning Act 1997, the Secretary of State can only establish the International Commission by order made by statutory instrument, after consulting with the Minister of Justice of the Republic of Ireland. How long will this take and when is it going to be made?

We require assurances that the Secretary of State will take whatever steps necessary, to ensure that the Disarmament and Verification Commission is established and in a position to receive firearms, ammunition and explosives from the paramilitary organisations represented by the PUP, UDP and Sinn Fein, on 15 September 1997.

We will not accept a situation where substantive negotiations begin without the relevant mechanisms and procedures in place with which the disarmament process can likewise begin in a parallel, benchmarked, timetabled framework.

2. Additionally we require written evidence of this timetable and schedule for decommissioning alongside Talks. This must set out in clear terms how the benchmarked process of disarmament will take place. As you are well aware, we are opposed to progress on disarmament being linked to progress on political negotiations. There can be no arms trading for political concessions.

3. We also view the role of the Sub-Committee on decommissioning as being that purely of an interface body, which will pass information between the Disarmament Commission and the Talks Plenary. The committee must not be given powers of direction over the Commission. We have consistently said that the disarmament of paramilitary organisations is a matter for experts, not politicians.

4. Similarly, the Sub-committee dealing with other confidence building measures should have no powers to obstruct the work of the International Commission. We see the role of this committee as being to discuss areas of concern to Parties in the Talks. Whilst we have always maintained these matters could have been adequately dealt with in the Northern Ireland Forum, we are prepared to give those parties boycotting it, the opportunity to discuss these matters at Castle Buildings. We are genuinely interested in dialogue.

5. Have you given consideration to the likelihood of Sinn Fein turning up at the Stormont Talks and saying, when asked to commence the process of Provisional IRA disarmament,

*'Sinn Fein does not have any arms to decommission. We are not the IRA. We are happy to look at the issue of disarmament with the other Parties, but we cannot tell the IRA to disarm.'*

How do you intend to deal with this inevitable scenario? We will not tolerate a situation where these Parties are allowed to remain in Talks whilst they refuse to demonstrate their commitment to the democratic process by disarming. In such a situation, our position will be untenable and the process will lose all credibility. It is crucial that this does not take place.

6. As you know, we have made every effort to keep the Loyalist parties within the Talks process, in order to assist them in their endeavours to maintain the October 1994 ceasefire. We cannot tolerate a continuation of this activity indefinitely. If Republicans are to be admitted to Talks we expect the 'no claim, no blame' policy used by Loyalists to be duplicated by them. Such activity, if tolerated by your government, will make a mockery of the process and will be used by Sinn Fein strategists as a selling pitch to hard-liners who want to carry on with terrorism. You must clarify your position in unambiguous language.

Parties representing Paramilitary organisations must deliver on disarmament, otherwise they deserve no place at the negotiating table.