

Tánaiste's Meeting with Secretary of State Mayhew, Dublin, 5 September 1996

Workplan for Decommissioning
Steering Note

1. The British side handed over the attached draft Workplan on Decommissioning (dated 7 August 1996) on 2 September 1996. They expressed the hope that it might be possible to adhere to the agreed approach of the two Governments whereby a sub committee on decommissioning would be established alongside the three strands of the multi-party talks. They see the "Workplan" as a way of encouraging the unionists to agree to such an approach and also envisage that the two Governments might publish their draft enabling legislation on decommissioning to encourage further unionist acquiescence in the sub committee. D/Justice advise that at a meeting of the Dalton-Chilcott sub-group on 3 September the British indicated that they are working to a target of having their Bill cleared by Ministers and ready for publication by 16 September.
2. The British draft of a Workplan reflects this emphasis on early publication of the two Governments' draft legislation. It is also somewhat unclear on the relationship between the work of the Sub Committee and (i) the plenary and three strands and (ii) action to be taken by the two Governments. It has relatively weak references to other confidence building measures identified as necessary by the Report of the International Body.
3. The Department of Justice shares this Department's view that publication of the draft legislation before the establishment of the Sub Committee on decommissioning might well not serve to secure unionist agreement to that Sub Committee and could lead to a protracted discussion on decommissioning in the opening plenary, thus delaying the start of substantive three-stranded talks. A re-draft of the British Workplan (elaborated with D/Justice) is attached. It proposes that the draft legislation would be

published after the Sub Committee (or "agreed mechanism") is established. This re-draft also puts more emphasis on the Sub Committee reporting to the plenary throughout the talks process (in advance of any actual decommissioning) and on confidence building.

4. The Tánaiste may wish to refer to this re-draft and suggest to the Secretary of State that further work be undertaken at official level.

Security Section
Anglo-Irish Division
4 September 1996

WORKPLAN FOR FURTHER PROGRESS ON DECOMMISSIONING

Opening Plenary

- (3.) Consideration of International Body's proposals on decommissioning and mechanisms necessary to enable further progress to be made on decommissioning alongside negotiations in the three strands
- (5b.) Establishment of whatever mechanisms to enable further progress to be made on decommissioning are agreed pursuant to the consideration at item 3

Workplan for the Mechanism Established to Enable Further Progress to be made on Decommissioning

- 1. Consideration of the Necessary Conditions for Decommissioning: Consideration of the relationship between the three-stranded talks and decommissioning;
- 2. Enabling Legislation: Consideration of draft legislative proposals, to be published by both Governments following establishment of the agreed mechanism, to provide the legislative framework to implement the International Body's report;
- 3. Other Confidence-Building Measures: Consideration of other aspects of the International Body's report which participants may regard as relevant;
- 4. Report to Plenary on Outcome of Consideration of Items 1-3
- 5. Modalities: Consideration of options for a decommissioning scheme to include the composition and role of an Independent Commission on the basis of the guidelines contained in paras. 36-50 of the International Body's report;
- 6. Other Confidence-Building Measures: Recommendations to the two Governments on confidence-building measures which will assist in securing progress on decommissioning;
- 7. Report to Plenary on Outcome of Consideration of Items 5-6
- 8. Phasing and Sequencing: Consideration of the phasing and sequencing necessary to secure balanced mutual decommissioning and a progressive pattern of mounting trust and confidence;
- 9. Report to Plenary on Outcome of Consideration of Item 8

10. Review of Progress Achieved: Provision would also be made for the agreed mechanism to review at appropriate stages progress made in regard to

- enactment of enabling legislation;
- finalisation of detailed scheme for decommissioning, including any necessary subordinate legislation;
- the establishment of the Independent Commission;
- implementation of mutual confidence-building measures;
- promulgation and activation of orders/regulations;
- actual decommissioning.