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Bilateral Meeting with the UUP

25 July 1996, 8.30pm

Present

UUP: John Taylor, Reg Empey and Stephen King

Irish Side: Attorney-General, Sean O hUiginn, David Donoghue, David Cooney, Steve Magner, Simon Hare, Brendan Callaghan.

Mr Empey said that the UUP was proposing the establishment of a working group, which would consist of all participants in the Plenary. The group would consider mechanisms required to enable progress to be made on decommissioning and would report back to the resumed Opening Plenary at the beginning of September. Following agreement on the report, the Plenary would proceed to the launch of the three Strands. The working group would then continue as a liaison arrangement, as the sub-committee proposed by the two Governments on 6 June.

The decommissioning strand had to be put up front because there was nothing in place at the moment. Nothing was happening on legislation, for example. Their difficulty with the agenda proposed by the two Governments for the Opening Plenary was not with wording, but that there would be a discrepancy between the different participants as to the meaning of what had been agreed on eg. mechanisms for decommissioning. They did not want the Plenary to end on a bad note, with an implosion of disagreement. The original proposal by the two Governments on 6 June for an agenda for the Opening Plenary had been that decommissioning would be discussed in parallel with the three Strands. The UUP saw this as meaning in effect that when the three Strands got down to real business, consideration of decommissioning would only be starting. They had a political worry that if the IRA ceasefire was reinstated, Sinn Fein would be at the table in September, but there would be no legislation or other arrangements in place to cover decommissioning. There was no chance of legislation before Christmas. If nothing was in place when Sinn Fein joined the talks, they could simply procrastinate on the issue. To see Adams at the table in advance of setting up mechanisms would be like the residents of the Garvaghy Road deciding on what others could do.

In their view, participants had to come to a decision before the end of the Plenary meeting on, inter alia, what decommissioning meant, how it was going to be achieved, the terms of

reference of the working group and what the remit of the International Body would be. To this Mr Taylor added verification that undertakings given on decommissioning were being honoured (what the Attorney-General called quality assurance). They wanted work on these issues commissioned next week. Such a programme of work could not be done in a few days. The report to the Opening Plenary would put flesh on the skeleton suggested by the two Governments. This was a minimalist position. A maximalist position would demand the actual production of draft legislation, etc.

The Attorney-General said that what was being suggested was a very substantial body of work. What the UUP were suggesting was a front loading of decommissioning, that primacy should be given to work on decommissioning and that it should be done before work started in the three Strands.

Mr Empey said they had already spoken to the two loyalist parties on their proposals. The meetings had not been negative. They had assured the two parties that the UUP were not out to cause them difficulties. The UUP accepted that it would be impossible for the two parties to hand up arms before the IRA had also done so. The mutuality provisions in the Mitchell Report protected the two parties, since those provisions meant that parties in the talks would not have to do any decommissioning until all relevant parties were in the talks. The UUP wanted to have further discussions with the two parties, who were meeting their principals that evening.

Mr O hUiginn said it was difficult to see how there could be a credible decommissioning process when Sinn Fein were not participating in the talks. The loyalists were not willing to take part in what the UUP were proposing. If the public saw such a huge contrivance being constructed with regard to decommissioning it would simply not find it credible. Mr Empey said that they were not expecting the impossible and accepted that there was a large element of the academic in the exercise. However, there was an expectation among their electorate that progress on this would be made. Their motive was to ensure that decommissioning did not become a constant issue in the political process, with people asking each week what was happening.

Mr Gleeson said that the decommissioning "strand" currently did not have an agenda, unlike the three Strands. The question was what level of particularity (a word Mr Empey approved of) the UUP required.

Mr Taylor said that in their opinion the DUP had changed its position on decommissioning. Whereas previously they had insisted that there would have to be total decommissioning before political talks commenced, they were now willing to join in talks if a framework for decommissioning was set up. Mr Empey said that the DUP attitude was not unreasonable. Mr O hUiginn said that it was his view that the UUP were the unionist party making the strongest demands on decommissioning. Mr Cooney said that to achieve sufficient consensus on the UUP proposals, it would be necessary to get the agreement of the DUP, since the loyalist parties would not accept it.

Mr Empey said that they would continue their discussions with the British Government. They had no problem in speaking to the Irish side again.

Brendan Callaghan