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Hardy R. (CS)
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FROM: D J R HILL
Political Development Team
25 September 1996

cc PS/PUS (L&B) - B
PS/Sir David Fell - B
Mr Thomas - B
Mr Steele - B
Mr Leach (B&L) - B
Mr Bell - B
Mr Watkins - B
Mr Wood (B&L) - B
Mr Stephens - B
Mr Maccabe - B
Mr Lavery - B
Mr Priestly - B
Mr Perry - B
Mr Whysall (B&L) - B
Mr Campbell-Bannerman - B
Ms Mapstone - B
Ms Bharucha - B
Mr Lamont, RID FCO - B
HMA Dublin - B
Clarke, Dublin - B
Mr Westmacott, Washington via IPL - B
Mr Oakden No 10 via CPL - B
Ms Collins, Cab Off (via IPL) - B

PS/MICHAEL ANCRAM (L&B) - B
PS/SECRETARY OF STATE (L&B) - B

TALKS, 25 SEPTEMBER - HANDLING PLAN

The prime objective for the day is to

- confirm agreement with the Irish on a reasonable proposition on the handling of decommissioning,

Plenary Business

- put that proposition to Mr Trimble in as persuasive a manner as possible, and
- lay the foundation for a successful third trilateral between the two Governments and the UUP next Monday.

The draft "suggested conclusions" have been put to Irish Ministers over night and we hope to receive confirmation from Mr Coveney during the morning that they are content. Meanwhile, Mr Perry will have a preliminary discussion with Mr Hickey (DOJ) about possible candidates for the role(s) of "independent experts of international

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standing" who might be associated with the work of the Committee and play an "appropriate" role in relation to the Independent Commission when it is established.

The intention then is that the proposition should be put to Mr Trimble during the afternoon in terms which leave him in no doubt that there is no significant room for manoeuvre. The Secretary of State might, however, enhance the acceptability of the proposition by taking Mr Trimble through the elements of the speaking note (see Mr Leach's separate submission) which British Ministers would intend to use during the plenary addressed to decommissioning. Additional briefing on points which Mr Trimble is likely to raise will be provided.

The hope is that Mr Trimble will at least agree to reflect on the proposition. (He has convened a party strategy meeting for Saturday to discuss the issue.) If it seems necessary, the Secretary of State might offer a further meeting with Mr Trimble later in the week. There may be a case for promoting a meeting or phone call between the Prime Minister and Mr Trimble, if that could be fitted in.

It would also be desirable to confirm arrangements with Mr Trimble for Monday's trilateral; and to brief Mr Coveney on Mr Trimble's initial reaction to the paper.

Plenary Business

The plenary stands adjourned at the call of the chair. There is a prospect of it being reconvened to have a further discussion of 'confidentiality', possibly on the basis of a further draft paper from the Independent Chairmen; but that could well lead to a further sterile debate and I would be inclined to discourage it. Meanwhile, Senator Mitchell has fixed up a series of bilaterals intended partly as displacement activity but also to enable him to reassure the parties that the bilateral and trilateral contacts which have been going on during the past 2 weeks have been genuinely productive.

(Signed)
D J R HILL
Political Development Team

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DRAFT: 23 SEPTEMBER 1996

(Agreed between Officials ad referendum: 21.00)

SUGGESTED CONCLUSIONS TO THE PLENARY ADDRESS TO DECOMMISSIONING
[to be tabled by the two Governments]

The participants in the multi-party negotiations, meeting in plenary session:

- note the commitment of the two Governments to all aspects of the report of the International Body including their support for the compromise approach to decommissioning set out in paragraphs 34 and 35, which state:

"The parties should consider an approach under which some decommissioning would take place during the process of all-party negotiations, rather than before or after as the parties now urge. Such an approach represents a compromise. If the peace process is to move forward, the current impasse must be overcome. While both sides have been adamant in their positions, both have repeatedly expressed the desire to move forward. This approach provides them that opportunity.

In addition, it offers the parties an opportunity to use the process of decommissioning to build confidence one step at a time during negotiations. As progress is made on political issues, even modest mutual steps on decommissioning could help create the atmosphere needed for further steps in a progressive pattern of mounting trust and confidence".

- note the commitment of the two Governments to work with all other participants to implement all aspects of the Report.
- note that as an important step towards implementation, each Government will publish at the conclusion of the opening Plenary session draft enabling legislation which will provide the basis for giving effect to the International

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Body's recommendations on the modalities of decommissioning. Having considered any comments which the committee referred to below may have they intend to introduce legislation in their respective Parliaments in the forthcoming session so that as progress is made on political issues the legislative framework is enacted by Christmas 1996.

- * agree to establish a committee charged with securing the secure implementation of all aspects of the Commission's Report on this issue. The Committee will comprise representatives of all the parties and will be chaired by the Independent Chairman of the Inquiry. With a view to ensuring continuity between the work of the Committee and the operation of the Independent Commission proposed in the report of the International Body and provided for in the draft legislation, the two Governments will make available to the Committee a range of expert personnel, including independent experts of international standing whom they would envisage playing an appropriate part in the work of the Commission when it is established. The Committee will follow the attached working agenda. It will first meet on [7/14 October].
- * agree that a plenary session should be convened in December to take stock of progress in the negotiations as a whole, including the work of the Committee. At that meeting, all participants would review the position and the progress which has been made across the entire spectrum of the negotiations. It would also be possible under the provisions of paragraph 12 of the rules of procedure, for the plenary to be convened specifically to enable the Independent Chairman to brief participants on the progress made by the Committee.
- * agree that the adoption of the above proposals will facilitate the address to decommissioning by the Inquiry.
- * agree, on this basis, to endorse the preliminary work of the opening plenary meeting in that for the appropriate Chairmen to convene each one of the negotiations within the three strands and the proposed Committee on decommissioning opening on [7/14 October] and proceeding in parallel.

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- agree to work constructively and in good faith to secure the implementation of all aspects of the Report of the International Body, in the context of an inclusive and dynamic process in which mutual trust and confidence is built as progress is made on all the issues of concern to all participants. A reality for all present and future participants is that progress in the negotiations will only be possible on this basis.
- agree to establish a committee charged with working to secure implementation of all aspects of the International Body's Report on this basis. The Committee will comprise representatives of all the participants and be chaired by the Independent Chairman of the Plenary. With a view to ensuring continuity between the work of the Committee and the operation of the Independent Commission proposed in the report of the International Body and provided for in the draft legislation, the two Governments will make available to the Committee a range of expert personnel, including independent experts of international standing whom they would envisage playing an appropriate part in the work of the Commission when it is established. The Committee will follow the attached working agenda. It will first meet on [7/14 October].
- agree that a plenary session should be convened in December to take stock of progress in the negotiations as a whole, including the work of the Committee. At that meeting, all participants would review the position, and the progress which has been made across the entire spectrum of the negotiations. It would also be possible, under the provisions of paragraph 12 of the rules of procedure, for the plenary to be convened specifically to enable the Independent Chairman to brief participants on the progress made by the Committee.
- agree that the adoption of the above proposals will conclude the address to decommissioning by the opening Plenary.
- agree, on this basis, to complete the remaining business of the opening plenary session in time for the appropriate Chairmen to convene meetings of the negotiations within the three strands and the proposed Committee on Decommissioning, opening on [7/14 October] and proceeding in parallel.

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COMMITTEE ON DECOMMISSIONING
WORKING AGENDA

- Governments' legislative proposals: consideration of draft Bills and ongoing review of progress towards enactment.
- Conditions necessary for decommissioning: consideration of the circumstances in which mutual decommissioning would be expected to occur.
- Modalities: development of detailed scheme or schemes for decommissioning and determination of the precise functions of the Independent Commission in respect of each scheme, including its role in relation to verification of the decommissioning process.
- Role of other confidence-building measures: consideration of those other aspects of the International Body's report which participants may wish to raise in this format.
- Determination of detailed arrangements for decommissioning: agreement on detailed decommissioning arrangements, including commenting on the necessary subordinate legislation.
- Review of implementation: ongoing review of implementation of all aspects of the Report.

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