

Agenda

FROM: RUTH OSBORNE
ANGLO-IRISH SECRETARIAT
20 SEPTEMBER 1996

RO/34754/96/ET

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DESK IMMEDIATE

CC PS/SECRETARY OF STATE (B&L)
PS/MICHAEL ANCRAM (B&L)
PS/SIR JOHN WHEELER (B&L)
PS/PUS (B&L)
PS/SIR DAVID FELL
MR THOMAS O/R
MR LEGGE
MR LEACH
MR STEELE
MR BELL
MR WATKINS
MR PERRY
MR STEPHENS
MR PRIESTLY
MR MACCABE
MR LAVERY
MR WHYSALL (B&L)
MS MAPSTONE
MS BHARUCHA
MR CAMPBELL-BANNERMAN
MR LAMONT, RID
HMA DUBLIN
MR CLARKE, DUBLIN
MS COLLINS, CABINET OFFICE

MR HILL

REVISED "JOINT PROPOSAL"

WITH REFERENCE TO YOUR NOTE OF YESTERDAY, I ATTACH A SLIGHTLY REVISED VERSION OF THE DRAFT PAPER ON SUGGESTED CONCLUSIONS TO THE PLENARY ADDRESS TO DECOMMISSIONING, AS SUGGESTED BY MR STEPHENS. THE ONLY CHANGES MADE ARE TO THE FIRST LINE OF THE FIRST INDENTED PARAGRAPH.

THE PAPER WAS HANDED OVER TO THE IRISH SIDE THIS MORNING FOR URGENT TRANSMISSION TO DUBLIN.

RUTH OSBORNE
ET/34754

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BRITISH DRAFT: 19 SEPTEMBER 1996 (17.45)

SUGGESTED CONCLUSIONS TO THE PLENARY ADDRESS TO DECOMMISSIONING
[TO BE TABLED BY THE TWO GOVERNMENTS]

THE PARTICIPANTS IN THE MULTI-PARTY TALKS, 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 AND THE COMMITMENT OF THE POLITICAL PARTIES, FOR THEIR PART, TO WORK FULLY WITH THE GOVERNMENTS IN THIS TASK.
- 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 BODY'S RECOMMENDATIONS ON THE MODALITIES OF DECOMMISSIONING. SUBJECT TO 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 WORK CONSTRUCTIVELY AND IN GOOD FAITH TO SECURE THE IMPLEMENTATION OF ALL ASPECTS OF THE REPORT OF THE INTERNATIONAL BODY, INCLUDING ITS PROPOSED COMPROMISE APPROACH TO DECOMMISSIONING, IN THE CONTEXT OF AN INCLUSIVE AND DYNAMIC PROCESS IN WHICH MUTUAL TRUST AND CONFIDENCE IS

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BUILT AS PROGRESS IS MADE ON ALL THE ISSUES OF CONCERN TO ALL PARTICIPANTS. THE REALITY FOR ALL PRESENT AND FUTURE PARTICIPANTS IS THAT PROGRESS IN THE TALKS WILL ONLY BE POSSIBLE ON THIS BASIS.

- AGREE TO ESTABLISH A COMMITTEE [IRL: 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. ITS MEMBERSHIP WILL ALSO INCLUDE THE CHAIRMAN DESIGNATE OF THE INDEPENDENT COMMISSION PROPOSED IN THE REPORT OF THE INTERNATIONAL BODY AND WHICH IS PROVIDED FOR IN THE DRAFT LEGISLATION. THE TWO GOVERNMENTS WILL MAKE AVAILABLE TO THE COMMITTEE A RANGE OF RELEVANT TECHNICAL EXPERTISE. THE COMMITTEE WILL FOLLOW THE ATTACHED WORKING AGENDA (APPENDIX 1). 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 SHOULD CONCLUDE THE ADDRESS TO DECOMMISSIONING BY THE OPENING PLENARY AND THAT THE NEGOTIATIONS SHOULD NOW BE ADVANCED, WITH THE OPENING OF SUBSTANTIVE DISCUSSIONS IN THE THREE STRANDS ON [7/14 OCTOBER].

NOTE: ON THIS BASIS, FOLLOWING THE COMPLETION OF OTHER BUSINESS, INCLUDING THE AGREEMENT OF THE COMPREHENSIVE AGENDA, STATEMENTS BY PARTICIPANTS, AND FINAL REMARKS BY THE INDEPENDENT CHAIRMAN, THE OPENING PLENARY SESSION WOULD BE CONCLUDED. UNDER THE AGREED RULES OF PROCEDURE THE APPROPRIATE CHAIRMEN WILL THEN 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

1. GOVERNMENTS' LEGISLATIVE PROPOSALS: CONSIDERATION OF DRAFT BILLS AND ONGOING REVIEW OF PROGRESS TOWARDS ENACTMENT.
2. CONDITIONS NECESSARY FOR DECOMMISSIONING: CONSIDERATION OF THE CIRCUMSTANCES IN WHICH MUTUAL DECOMMISSIONING WOULD BE EXPECTED TO OCCUR.
3. MODALITIES: PREPARATION OF A DETAILED DRAFT DECOMMISSIONING SCHEME OR SCHEMES AND DETERMINING THE PRECISE ROLE OF THE INDEPENDENT COMMISSION IN RELATION TO EACH SCHEME.
4. 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.
5. OTHER ARRANGEMENTS NECESSARY TO SECURE IMPLEMENTATION OF THE REPORT: FINALISATION OF A DETAILED DECOMMISSIONING SCHEME, INCLUDING COMMENTING ON THE NECESSARY SUBORDINATE LEGISLATION.
6. REVIEW OF IMPLEMENTATION: ONGOING REVIEW OF IMPLEMENTATION OF ALL ASPECTS OF THE REPORT.

SHIRAZA BIVILATRAL - REVISED SPEAKING NOTE

1. I spoke to Michael Ancram this morning about the draft speaking note I submitted yesterday and the draft Irish response to the UUP questions received this morning.

2. We agreed that, although much of the Irish draft was unquestionable, it was much too long and fell into the trap of responding sequentially to the UUP questions, thus laying us open to follow-up requests to see the answers in writing, the submission of lists of further questions, and a general process of interrogation which would permit the UUP to highlight particular facets of our position rather than viewing it in the round.

3. The Minister accordingly believed that we should aim to address not so much the specific questions as the broad areas of concern which they disclosed, by giving a picture in the round of how the Governments propose to proceed, sweeping up the specific points as a fully rounded exposition. This might take the form of an early

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