

Agenda.

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IRISH DRAFT: 17 SEPTEMBER 1996

*Suggested further amendments in manuscript.*

JOINT PROPOSAL BY GOVERNMENTS ON HANDLING OF DECOMMISSIONING  
[to be put to debate on decommissioning in Opening Plenary]

*Janet Hill*  
*17/9*

(Additions to the British draft of 13 September are underlined, deletions are shown with strike out. Annex 1 is entirely revised.)

1. The British and Irish Governments put forward for consideration at the opening plenary the following proposals for taking forward the handling of decommissioning.
2. The two Governments confirm their commitment 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 not 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."

3. The Governments also confirm their commitment to work with all the participants to implement all ~~[respectively appropriate]~~ aspects of the Report. The political parties, for their part, commit themselves to cooperating fully with the Governments in this task, in respect of all areas relevant to them. As an important step towards implementation, each Government ~~has published today/will publish on .....~~ will publish at the conclusion of the opening Plenary draft legislation which will provide the basis for giving to give effect to the International Body's recommendations on modalities, for the participants to consider and comment on in the committee referred to in paragraph 5 below, with a view to introducing legislation in their respective Parliaments early in the forthcoming session and seeking its enactment by [Christmas 1996] in parallel with progress in the substantive negotiations.

4. The Governments propose that the plenary should agree to work constructively to secure the implementation of all aspects of the Report, including the requirement for mutual commitment and participation, in the context of an inclusive and dynamic process which builds trust and confidence as progress is made on the issues, and that it is on this basis that the negotiations should ~~now advance to~~ be advanced, beginning with the opening of

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*so that as progress is made on political issues, the legislative framework to enable mutual confidence building steps on decommissioning is enacted by Christmas 1996*

*enabling*



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substantive discussions in the three strands. All present and future participants would need to accept that progress will only be possible on this basis.

5. The Governments further propose that the plenary should establish a committee charged with working to secure implementation of all aspects of the International Body's Report on this basis, with all the participants represented and chaired by the Independent Chairman of the Plenary. The committee would have the attached agenda terms of reference (Appendix 1) ~~and follow the attached workplan (Appendix 2)~~. Its first task would be to consider and comment on the legislation proposed by each Government, so as to facilitate early introduction of the necessary legislation ~~on an agreed basis~~. It would first meet first on [7/14 21 October].

6. As part of the arrangements, ~~the Independent Chairman would periodically brief the participants in plenary session on the progress made by the committee. In any event, a plenary session would be convened in [December] to take stock of progress in the negotiations as a whole, including the work of the committee. At this 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 25 of the rules of procedure, for the plenary to be convened specifically to receive reports on the work of the committee on decommissioning. It is understood that a successful outcome to the negotiations as a whole requires progress in each of the constituent elements of the negotiations.~~

7. The two Governments finally propose that the adoption of the above proposals should conclude the address to decommissioning by the opening Plenary. With 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 ~~then~~ 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 21 October] and proceeding in parallel.

Either keep this sentence or add (after "...spectrum of the negotiations") "with a view to ensuring that there is the progress in each of the constituent elements of the negotiations to achieve a successful outcome to the negotiations as a whole".

NB There may be a need to add something on

- the designation of a Chairman for the Independent Commission (with a place on the Decommissioning Committee)

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- the date on which the draft legislation would be published.



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Appendix 1

COMMITTEE ON DECOMMISSIONING

AGENDA

1. Governments' legislative proposals.
2. Conditions necessary for decommissioning.
3. Modalities, to include <sup>precise</sup> role of Independent Commission.
4. [Role of other confidence building measures] *Other measures which participants may consider relevant*
5. Other arrangements necessary to secure implementation of the report. *of the Int'l Body.*

Provision will also be made for the Committee to review at appropriate stages progress made in regard to:

- enactment of enabling legislation;
- the establishment of the Independent Commission;
- finalisation of a detailed scheme for decommissioning, including any necessary subordinate legislation;
- implementation of mutual confidence building measures;

[NB. The Irish want the 'workplan' to be very much shorter than before, for consistency with the skeletal comprehensive agenda now proposed by the UUP + SDLP.]

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POSSIBLE TIME-LIMITED AGENDA FOR REMAINDER OF OPENING PLENARY

*[probably not worth detailed consideration at this stage]*

[Preliminary stage: Debate and agreement on agenda for remainder of opening Plenary.

1 day: 23 September ~~3 days: 23-25 September~~]

1. Consideration of International Body's proposals on decommissioning. [2 days: 24-25 September ~~3 days: 30 September - 2 October~~]
2. Consideration of comprehensive agenda for three-stranded negotiations. [2 days: 30 September - 1 October ~~7-8 October~~]
3. Statements by participants. [3 days: 2, 7 and 8 October ~~9 October, 14-15 October~~]
4. Adoption of comprehensive agenda; establishment of whatever mechanisms to enable further progress to be made on decommissioning are agreed pursuant to item 1. [ $\frac{1}{2}$  day: 2 16 October]
5. Concluding remarks by Independent Chairman. [ $\frac{1}{2}$  day: 2 16 October]

Assumptions:

- a. Plenary sessions to run for total of 6 hours per day [10-12.30 and 14.30-18.00].
- b. Each participants allowed 1½ hrs for statement (and questions?) under item 3.
- c. Trilaterals between British Government, Irish Government and UUP to be concluded before item 1 ends (ideally, before it starts).
- d. Objective is launch of 3 strands and decommissioning sub-committee on 14 21 October, unless it is decided to dispense with opening statements (see below), in which case the three strands would be launched on 7 October.
- e. Several variants are possible - eg
  - statements by participants taken as item 1 (this would allow more time to complete the trilaterals);
  - statements by participants dropped altogether - or no questions allowed (this would cut down the time between the conclusion of the address to decommissioning and the commencement of the strands - and therefore reduce opportunities for the DUP/UKUP to unpick the deal);

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agenda business proper could start during week of 23 September, if agreement on the opening Plenary agenda were reached early in that week.

cc PS/Secretary of State (SAL) - B  
PS/Michael Andreas (SAL) - B  
PS/Sir John Wigglesworth (SAL) - B  
PS/POB (L) - B  
PS/Sir David Fell - B  
Mr Thomas - B  
Mr Legge - B  
Mr Bell - B  
Mr Watkins - B  
Mr Steele - B  
Mr Wood (SAL) - B  
Mr Beeton - B  
Mr Hill - B  
Mr Lavery - B  
Mr MacCabe - B  
Mr Perry - B  
Mr Stephens - B  
Mr Priestly - B  
Mr Whysall - B  
Mr Wapstone - B  
Mr Sharucha - B  
Mr Campbell - Bannerman - B  
Mr Nissen, NOLAB - B  
Mr Lamont, RID FCO - B  
HMA Dublin - B  
Ms Collins Cab Off (via IPL) - B

Ms McN

Mr Leach - B

RECOMMISSIONING BILAS MARY STRETS

The Minister has seen a copy of your note to Mr Steele of 11 September. He believes that it is important that the Secretary of State is present when David Trimble is shown the draft Bill on a confidential basis at this stage.

Signed

ANGELA BELLAVANT  
PS/Michael Andreas

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IMCR/MCPS/11605