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FROM: D J R HILL  
CPL DIVISION  
10 JANUARY 1996

P cc UUP 945  
SDLP 942

cc Dec - 100535

HANDLING DECOMMISSIONING, Mr Thomas - B

cc: PS/PUS (L&B) - B  
PS/Sir David Fell - B  
Mr Stephens - B  
Mr Bell - B  
Mr Watkins - B  
Mr Leach - B  
Mr Brooker - B  
Mr Maccabe - B  
Mr Lavery - B  
Mr Whysall (L&B) - B  
Ms Mapstone - B  
Ms Bharucha - B  
Mr Lamont, RID - B  
HMA Dublin - B  
Mr Clarke, Dublin - B  
Mrs McNally - B

cc HP 100535

Mr Thomas - B

**TALKS: POSSIBLE ARGUMENTS TO DEPLOY WITH THE UUP AND IRISH/SDLP**

I attach a pair of checklists setting out the arguments which might be deployed with, respectively, the UUP and the Irish Government/SDLP in support of an attempt to resolve the decommissioning issue before the talks are adjourned for the election.

2. Subject to any comments which you or copy recipients may have I could put something on these lines to Ministers for possible use during the course of next week.

(signed)

D J R HILL  
CPL DIVISION  
OAB 210 6591

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CPL/9374/CAO



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(13 January)

HANDLING DECOMMISSIONING: POINTS TO DEPLOY WITH THE UUP

1. Welcome the significant measure of agreement represented by the trilateral paper of 11 December. Believe it gets us a long way towards a resolution of the issue.
2. Understand that the Irish Government will support SDLP: if so that represents a significant move away from their previous commitment to the "1 October" proposals [in which all the weight was put on the Committee].
3. Progress of Irish Decommissioning Bill a further signal of their good intent.
4. Strong case for seeking to resolve the issue of decommissioning before an adjournment
  - boosts the general credibility of the talks process;
  - the issue will be no easier to resolve after the election and statements made during the elections may make it more difficult;
  - better to resolve the issue before there is any question of Sinn Fein participation;
  - if the precise role/likely timing of the Commission is known before any adjournment the two Governments can use the period to finalise practical arrangements so that the Commission can be established without delay when the time comes;

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- if we can resolve decommissioning before any adjournment we could launch the substantive three-stranded negotiations immediately afterwards. That would provide a firmer foundation for subsequent progress and a better electoral platform for the UUP and SDLP.
5. Prime Minister's statement of 28 November on terms of entry for Sinn Fein, and his demonstrated refusal to develop his position in response to Irish pressure, means that that flank is secure. Recent IRA attacks have helped to persuade doubters that the Government's caution was eminently sensible. Clear signs of disenchantment with the IRA/Sinn Fein in Dublin and among the SDLP. Evidence of your commitment and willingness to reach a sensible accommodation would help to confirm the detachment of Sinn Fein from the nationalist consensus.
6. Remaining issues?
- relative timing: John D Taylor and Ken Maginnis have acknowledged that it would be realistic to work on the basis of the Commission, Liaison Committee and three strands being launched simultaneously;
  - confidence-building measures: appreciate your concern about linkage. Realistically, however, the linkage has already been made by the International Body's report (Section 7) and the issues will inevitably be raised by the parties associated with the paramilitaries. Probably better to accept that progress on "confidence-building measures" can be reviewed in the Liaison Committee, which is explicitly not a forum for negotiation. No implication for the work of Commission. Virtually all the identified confidence-building measures are matters clearly within the responsibility of HMG or both Governments, or of the paramilitaries. Any which are

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amenable to substantive negotiation (eg policing arrangements) will be dealt with in strand one. We have a good story to tell on all the relevant confidence-building measures and will be happy to state it in any forum;

- there is no possibility of securing agreement to any requirement for a tranche of IRA decommissioning before Sinn Fein enter the three strands. Acknowledge and respect your need to see some decommissioning at an early stage thereafter and will work with you to achieve that, but prior commitments will be unobtainable.

7. Procedurally we have stressed to the Chairmen the need to identify (as a basis for any process of determination) proposals which can carry sufficient consensus, ie which have your support. Any DUP/UKUP amendments would be unlikely to win sufficient consensus, although you could vote for them or even put forward variants of your own if politically necessary. The important thing would be know that you could at the end of the day support whatever package is on the table. Trust we can identify such a package before 27 January.

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(13 January)

HANDLING DECOMMISSIONING - INFLUENCING THE IRISH/SDLP

Points to make

1. There is a strong case for seeking to resolve the handling of decommissioning before any adjournment
  - it would boost the general credibility of the talks process;
  - the issue will be no easier to resolve after the election; and statements made during the elections may make it more difficult;
  - it will certainly be easier to resolve before there is any question of Sinn Fein joining the negotiations;
  - if we can resolve decommissioning before any adjournment we could set a date for launching the three strands after the elections. That would provide a real incentive for the Republican Movement to declare an IRA ceasefire. (If the talks were still focussed on decommissioning after the election period that would be a disincentive to an early ceasefire);
  - a firm date for the launch of the three strands after the elections would provide a firmer foundation for subsequent progress and a better electoral platform for the UUP and SDLP.
2. There is still some prospect of being able to achieve agreement on decommissioning before any adjournment:
  - the paper drawn up by the UUP, SDLP and Alliance Party represents a significant level of agreement. We can support it. Trust that you/the Irish will too. The

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balance it strikes between the establishment of the Commission and the role of the Committee may obviate the need to pursue HMG's idea of giving the Commission an explicit role in determining when decommissioning should start, and we would be happy to drop it;

- the Chairmen's decision to take a more proactive role and consider tabling proposals could be helpful in clinching a deal;
- it seems to be in the interest of all the key players to register an achievement before any adjournment and lay the foundation for substantive negotiations to start after the elections;
- publication of HMG's views on terms of entry for Sinn Fein, and its resolution in the face of Irish pressure, has greatly re-assured the Unionists (while not ruling out the possibility of Sinn Fein entry relatively quickly if the criteria are fulfilled). Recent IRA attacks may perversely have helped to calm Unionist nerves about the possibility of Sinn Fein's early entry to the talks. The Unionists may now be more ready to settle the decommissioning issue and we should put that to the test;
- the progress of the Irish Decommissioning Bill has been very favourably received by the UUP. We should capitalise on the success of that confidence-building measure.

3. Remaining issues?

- relative timing: UUP seem to accept that the Commission and Committee can only be established alongside the launch of the three strands. They would then be content

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for everything to proceed in parallel. This and the timing of developments after any period of adjournment may need to be tied down in any proposal from the Chair;

- place for consideration of confidence-building measures.  
Sure we can find a way round Unionist concerns on linkage;
  - have consistently made clear to the UUP that their demand for a prior tranche of IRA weapons before Sinn Fein could join the three strands is unrealistic and undeliverable. Trimble has privately acknowledged that he will not hold out for this, but will not find it easy to drop that requirement publicly.
4. Procedurally it will be crucial to get some proposals forward (via the Chairmen, largely based on the trilateral paper?) which we know will carry sufficient consensus support (ie which the two Governments, the SDLP and the UUP can support). Then DUP/UKUP amendments can be seen off, even if UUP support them or table variants of their own if that is politically necessary; and the original package voted through.

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