EG 32/96

Meeting of Irish Officials With UUP Delegation (2)
17 September 1996, 6.45 pm

Present

Irish Officials	UUP Delegation
Paul Hickey	David Trimble
David Cooney	Ken Maginnis
Brendan Callaghan	Reg Empey
	Peter King

1. The meeting was a continuation of the technical meeting on the Irish Draft Decommissioning Bill which took place between officials and the UUP delegation earlier that day. Mr Hickey explained the main features of the Draft Bill, including the main differences between it and the British Draft Bill.

2. The UUP delegation asked a number of questions and made a number of points. The main items of note were:

   - Mr Trimble suggested that the Draft Bill make provision for verification in each of the four decommissioning scenarios. Mr Hickey said that regulations under the legislation would be able to do this.

   - Mr Trimble asked whether the prohibition on the taking of criminal proceedings against persons decommissioning, in respect of decommissioning, was drawn more narrowly in the Irish than in the British Draft Bill. Mr Hickey explained that the effect would be the same under both sets of legislation. The British regulations would contain provisions which would be in the Irish Act.

   - Mr Trimble noted that the Irish Draft Bill had no difficulty in referring to forensic testing without definition of the term.

   - Mr Magennis and Mr Trimble referred to what they regarded as a tendency to eccentric decisions by Courts in our jurisdiction and enquired whether this would pervert the freedoms in the Draft Bill. Mr Hickey said that the Act would not be relying on the Courts, but on the people taking possession of arms.

3. Mr Empey said that the final decommissioning schemes would have to be drawn up involving the Commission and some of the participants. He asked whether the Irish side had discussed different scenarios with the NIO. Mr Hickey said that in the preparation of the Draft Bills both the Irish and British sides had tried to anticipate a number of different scenarios. This had been a thinking through of the sketchy indications provided in the International Body's report. How the regulations looked would depend on how much will be written into them and how much would be left to the discretion of the Commission.

4. Mr Maginnis said that their problem was that after the decommissioning strand commenced, Sinn Féin could enter the talks, perhaps in three months time. Decommissioning would then be in limbo. To keep the two tracks concurrent a decommissioning scheme needed to be put in place. This should not be dependent on the presence of Sinn Féin in the Talks. They should be trying as far as possible to define a scheme, by having a core Commission. There would be nothing to prevent the scheme being modified or altered subsequently. People were suspicious and worried. Having a scheme in place would allow the UUP to talk constructively. They had made some progress in discussing this with the British Government that day. It would be helpful if they could also make progress with the Irish Government. They had heard what the Tánaiste was saying at the meeting earlier that day. It was genuinely not their intention to hold things up. Mr Trimble said that the agendas for the three strands were almost complete. Mr Empey said that there had to be a balance between making political progress and decommissioning. The way forward on the three strands was clear, whereas decommissioning was virgin territory. Things would not get any clearer as they went on. Mr Maginnis said that they hoped that now that a process had begun it would not come to a halt. **The delegation asked that their views be passed on to the Government. They hoped to raise these points at the trilateral the following day.**

B Callaghan