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25 SEP 1996  
CENT SEC

FROM: D J R HILL  
POLITICAL DEVELOPMENT TEAM  
25 September 1996

PS/Secretary of State (B&L)

cc Mr Leach  
Mr Watkins  
Mr Stephens  
Mr Watkins

112  
26/9

ASST DC  
SEC 315/9  
26 SEP 1996  
CENT SEC

MR TRIMBLE - DRAFT LETTER

1. As discussed I attach a draft letter, largely based on the suggested "speaking note", which the Secretary of State might send to Mr Trimble with the draft "suggested conclusions" to make clear the context in which they should be viewed and to bring out the key plus points for the UUP.

2. I also attach, as an Annex, a version of the suggested conclusions which would be suitable for handing to Mr Trimble.

(Signed)

D J R HILL  
Political Development Team  
CB 22317

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PDT/1289

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DRAFT LETTER FROM THE SECRETARY OF STATE

David Trimble Esq MP  
House of Commons  
LONDON  
SW1A 0AA

September 1996

As I mentioned to you yesterday we have been working with the Irish to put together a paper which summarises our proposals on how the decommissioning issue should be handled.

I enclose a paper which has now been agreed between us: it is presented as a draft statement of the conclusions which plenary might be invited to reach as the outcome of the "address" to decommissioning.

We have worked very hard with the Irish to achieve agreement on this and there does not seem to be any further room for manoeuvre. It goes as far as we believe is possible to meet your stated concerns while remaining consistent with the two Governments' policy positions.

I want to ask you to weigh the paper very carefully before reaching any conclusion on it. I look forward to discussing it with you [tomorrow]. You will be able to set out your reactions to both Governments at the next trilateral planned for Monday.

I recognise that this paper will raise difficult issues for you, requiring most careful consideration. I am ready to do my best to present the case for moving forward on this basis to plenary in the most positive and sympathetic manner. I would make clear that, in summary, what we are proposing is the establishment of a clear

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PDT/1289

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structure of purposive action to take forward decommissioning alongside political negotiations within the Talks process. This includes:

- the commitment by both **Governments** to introduce their enabling legislation early in the coming session with the aim of getting it enacted by Christmas. That timetable of course assumes a supportive Parliamentary climate which in turn would be influenced by the perception of continuing constructive engagement in the negotiations as a whole.
- a commitment which would be binding on all present and future participants to work constructively to implement all aspects of the Report of the International Body, including the compromise approach to decommissioning, 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. The reality for all present and future participants is that progress in the Talks will only be possible on this basis.
- the legislation will make provision for an Independent Commission to be established as a key part of the decommissioning process. However, the establishment of this Commission must in practice await the passage of the legislation, and must also be based on essential preparatory work. The Governments propose the establishment of a Committee of the plenary, as the vehicle for that work.

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- this Committee would of course require appropriate resources to get on with its essential tasks, which would include working out the precise role of the Independent Commission proposed in the Report of the International Body and provided for in the draft legislation. For this purpose, and to ensure continuity between the work of the Committee and the operation of the Commission, the Governments will provide to the Committee a range of expert personnel, whose work and expertise will then be available to the Commission when it is established. The Governments will in addition invite to assist the Committee independent experts of international standing, whom we would envisage playing an appropriate part in the work of the Commission when it is set up.
- we have therefore accepted the value both in terms of practicality and confidence-building of establishing a clear link in this way between the work of the Committee in the early stages of substantive negotiation and the eventual work of the Commission, thereby ensuring that neither works in a vacuum.
- with these technical resources, the Committee could undertake from day one an active programme of essential preparatory work. This would include
  - (a) working up into a series of alternative schemes the different options for decommissioning outlined in the Report of the International Body;
  - (b) carrying out a rigorous practical analysis of the precise role, powers and privileges of the Independent Commission, as required by each of the possible schemes, as an essential preliminary to agreement on the modalities and the formal establishment of the Commission with the appropriate personnel, resources, powers and so on;

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- (c) considering the necessary timing and sequencing of decommissioning.

The Committee would also address the context in which a decommissioning scheme could be developed (including the progressive confidence building measures outlined in the Report) and the impact of the requirement for decommissioning to be mutual as between Republicans and Loyalists.

- the Committee would review this work and, once the necessary basis of agreement existed, make recommendations to the Governments, who would then finalise and promulgate a scheme for decommissioning, and precise arrangements for the Commission, as soon as they were satisfied that a workable scheme of decommissioning had been identified which would be capable of finding broad acceptance among the parties and among those expected to decommission.
- the Governments also propose that a special Plenary session should be convened in December to take stock of progress in the negotiations as a whole, including the work of the Committee.

Thus, the Committee would have a clear work programme and the resources to carry it through. Its work could not be stalled by the absence of any party. Moreover, the commitment which the Governments would be seeking from all parties to the negotiations would be to work constructively to secure implementation of the report of the International Body, including the compromise approach to decommissioning. When that commitment is made, everyone will expect it to be honoured in good faith, in the context of an overall process of negotiations which builds mutual trust and confidence.

I trust you and your party will feel able to join in moving the process forward on that basis.

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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 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.

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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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