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POINTS TO MAKE

- The two Governments are at one in wishing if possible to consolidate and take forward the signs of UUP flexibility and convergence with the SDLP which became apparent this week.
- The key to further UUP movement appears to be the deployment with them, on a confidential basis, of our two draft decommissioning Bills. To maintain momentum, HMG believes that we should aim to do this **next week**. The British side looks forward to discussing this issue, including the timing and modalities of any meeting or meetings with the UUP for this purpose, with the Irish side on Monday 16 September.
- The deployment of the Bills is intended to demonstrate the Governments' good faith on the decommissioning issue. But there must be a parallel test of the **UUP's** commitment to move the process forward. In return for the opportunity to see and discuss the draft Bills, and understandings about dates of publication, timescales for enactment, etc, we would look to secure from the UUP a commitment to supporting an **exit strategy** from the opening Plenary which would include
  - a **joint proposal** by the two Governments to establish a mechanism on decommissioning to operate alongside the three strands, for approval by the opening Plenary; and
  - a time-limited **agenda** for the remainder of the Plenary to bring about an early start to the substantive negotiations.
- The two Governments should clearly aim to agree such texts before they are put to the UUP and SDLP. We accordingly attach **drafts** of both prepared by the British side (which draw substantially on the joint "Scenario" paper published on 6 June). The British side would welcome the opportunity to discuss these also with the Irish side on Monday.

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- The drafts are meant to be self-explanatory, but the following comments may be useful:

- the drafts assume a target date for starting the three strands, and the decommissioning mechanism, of 21 October. Depending on events it may of course be possible to make faster progress;
- the first sentence of paragraph 3 of the Joint Proposal reads  
"The Governments also confirm their commitment to work with all the participants to implement all [respectively appropriate] aspects of the Report."

The phrase in square brackets is meant to address concern expressed by both major Unionist parties that most of the participants cannot be expected publicly to commit themselves to implement "all aspects" of the Report, since some (eg the confidence-building measures) bear exclusively on the Governments and the paramilitaries. The British side believes that some way of meeting this Unionist concern need to be found, although it may be possible to find a better formulation than "respectively appropriate". The British side would welcome Irish views on this issue;

- further on in paragraph 3 there are alternative square-bracketed formulae about when the Governments will be willing to **publish** the draft Bills, and by what date they might be **enacted**. These again could be issues for discussion on Monday.

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