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Annex C

JOINT PROPOSAL BY GOVERNMENTS ON HANDLING OF DECOMMISSIONING

The British and Irish Governments put forward for consideration at the opening Plenary the following proposals for taking forward the handling of decommissioning.

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 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."

The Governments also confirm their commitment to work with all the participants to implement all aspects of the Report. As an important step towards implementation, each Government will publish on [26 September] draft legislation to give effect to the International Body's recommendations on modalities, for the

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participants to consider and comment on, with a view to introducing legislation in their respective Parliaments early in the forthcoming session.

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

The Governments further propose that the plenary should establish a committee 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, with the attached terms of reference. Its first task would be to consider and comment on the legislation proposed by each Government, so as to enable early introduction of the necessary legislation on an agreed basis. It would meet first on [30 September].

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 is understood that a successful outcome to the negotiations as a whole requires progress in each of the constituent elements of the negotiations.

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The two Governments finally propose that, in the light of the progress made in addressing the International Body's proposals on decommissioning, the Opening Plenary session should now be concluded by the Independent Chairman. Under the agreed rules of procedure the appropriate Chairmen will then convene meetings of the negotiations within the three strands, opening on [30 September] and proceeding in parallel.

To secure implementation of all aspects of the Report of the International Body, including:

- (a) consideration of both Governments' legislative proposals, including the timescale for enactment;
- (b) agreement at the appropriate time on the modalities of decommissioning on the basis of the guidelines contained in paragraph 35 to 39 of the Report of the International Body;
- (c) advice to both Governments, in the light of those discussions, on the practical implications of the course which is recommended; and
- (d) agreement on any other arrangements necessary for implementation of the Report.

(NOTE: If necessary, these terms of reference could be strengthened by the addition of the more detailed workplan.)

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COMMITTEE ON DECOMMISSIONING
TERMS OF REFERENCE

To secure implementation of all aspects of the Report of the International Body, including:

- (a) consideration of both Governments' legislative proposals, including the timescale for enactment;
- (b) agreement at the appropriate time on the modalities of decommissioning on the basis of the guidelines contained in paragraph 36 to 50 of the Report of the International Body;
- (c) advice to both Governments, in the light of those discussions, on the practical implications of the course which is recommended; and
- (d) agreement on any other arrangements necessary for implementation of the Report.

[NOTE: If necessary, these terms of reference could be strengthened by the addition of the more detailed **workplan**.]

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