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From: John McKervill INT/49
Political Affairs Division
31 October 1996



cc (17)

cc PS/Secretary of State (B&L) - B
PS/Sir John Wheeler (B&L) - B
PS/Michael Ancram (B&L) - B
PS/Malcolm Moss (DHSS, DOE&L) - B
PS/Baroness Denton (DED, DANI&L) - B
PS/PUS (B&L) - B
PS/Sir David Fell - B
Mr Thomas (B&L) - B
Mr Steele - B
Mr Bell - B
Mr Leach - B
Mr Watkins - B
Mr Wood (B&L) - B
Mr Beeton - B
Mr Priestly - B
Mr Hill (B&L) - B
Mr Lavery - B
Mr Maccabe
Mr Perry - B
Mr Stephens - B
Ms Bharucha - B
Ms Mapstone - B
Mr Whysall (B&L) - B
Ms Collins, Cab Off (via IPL) - B
Mr Dickinson, TAU - B
Mr Lamont, RID - B
HMA Dublin - B
Mr Westmacott (via RID) - B
Mr Campbell-Bannerman - B
Mrs McNally (B&L) - B

NOTE FOR THE RECORD

TALKS: WEDNESDAY 30 OCTOBER 1996

Summary

Completion of initial statements on decommissioning. Impressive paper from Alliance party followed by a long negative UUP statement which will have done little to encourage the Irish that the UUP are ready to negotiate on any serious basis. Secretary of State reaffirmed HMG's attachment to the 30 September "suggested conclusions" paper. Plenary adjourned until 1300 on Monday 4 November.

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Detail

2. Following the customary morning briefing meeting, at which the wording of the Secretary of State's presentation on decommissioning was finalised, a meeting took place with the Irish Government and Independent Chairmen at 0930. It was agreed that, with the completion of initial statements that day, the following week should be devoted to as broad a discussion as possible on each party's statement/proposals. The Chairman aimed to complete discussion by the end of the following week. Senator Mitchell was, however, concerned that although that plan kept the process going, some new initiative was required if the negotiations were not to exhaust themselves. He believed it was time for the two Governments separately to get together with the UUP and SDLP to bring forward a new initiative which would bring the negotiations out of discussion on decommissioning into the three stranded negotiations. He was prepared to leave it to the two Governments to decide how and when such steps should be taken, although he believed it should be sooner rather than later. The discussion finished with the Secretary of State saying that obviously the Government would have to test the temperature with the main parties in the light of reactions to the presentations which would be made later that day.

3. The plenary session, which commenced at 1010, began with a discussion of the timetable for the following week. Senator Mitchell invited any additional written proposals on decommissioning from the parties to be submitted to his staff by noon on Friday for circulation to all the delegations. It was then agreed, following discussion, that plenary would reconvene at 1300 on the Monday of the following week. That session would go on to 2000. Plenary sessions on Tuesday and Wednesday would both begin at 1000 and finish at 1800. The Chairman agreed that, given difficulties which some MPs might have on Tuesday, their needs would be accommodated as far as possible. There then followed the initial statements on the address to decommissioning from the Alliance Party, the UUP, and HMG respectively. Their statements have already been, or will shortly be, circulated separately.

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4. For the Alliance Party, Lord Alderdice delivered an impressive paper which examined the issue of decommissioning in Northern Ireland against two specific models - the 'realpolitik' approach and the 'democratic' approach. In the first, a conflict, he said, was resolved on the basis of the relative military power, capacity physically to disrupt, or ability to use force of arms of the participants. The latter approach allowed for parties to negotiate on the basis of their respective democratic mandates. Following an examination of recent international examples including Angola, Bosnia, Cambodia, El Salvador, Lebanon, Mozambique, Nicaragua, Somalia and South Africa, the Alliance Party contended that several common themes could be identified. First, while disarmament was a major issue in virtually all of the conflict resolution exercises, it did not occur in anticipation of or as a pre-condition to negotiations. Only rarely were ceasefires pre-requisites for talks processes, South Africa being one notable exception. However, the regulation of the armaments of the warring factions was a crucial element of many of the peace agreements brokered. The paper concluded that the international comparisons suggested that although decommissioning was not generally pursued when conflict resolution processes were in a 'realpolitick' phase, it was usually a major issue when moving into a 'democratic' phase. The paper believed that Northern Ireland, rather than fitting into the 'realpolitik' model, should be addressed in terms closer to the 'democratic' model.

5. Lord Alderdice then went on to enunciate a number of principles of decommissioning:

- (i) in the context of a negotiating process which involved parties associated with the use of "armed struggle", the central importance of decommissioning lay in providing the necessary reassurance to other parties to the talks;
- (ii) there could be no equivalence of terrorist weapons and those of the legitimate security services.

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- (iii) Entering a process of decommissioning was necessary to provide proof of good intention.
- (iv) the objective had to be the removal of all illegal weapons and the standing down of the organisations which had held and used them; and
- (v) the long history of the use of violence for political purposes had to be brought to an end.

6. On methods of decommissioning, the Alliance party believed the procedures needed to be practical and regarded as relatively non-threatening to those involved. The operation would therefore need to be carried out by an independent international agency. Alliance believed the present proposed Commission would be suitable. Initial work by the Commission in collaboration with the police and security services in both jurisdictions would attempt to establish expected inventories of materials and that an inspection of stored materials by field officers would provide further verification of fact and commitment to the process. Physical decommissioning of armaments and materials could be accomplished by Commission Field Officers or carried out in their presence and under their supervision. Forensic examinations of surrendered weapons would not be conducted.

7. In assessing the commitment to an irreversible cessation of violence, any signs of activity preparatory to a recommencement such as training or targetting would be a breach of such commitment. The party believed that statements by parties which claimed to speak for the paramilitary organisations, unequivocally ruling out any justifiable return to violence or stating that violence could never in the future be seen as a legitimate means to further political ends, would be helpful. A production and verification of inventories and locations would be an important persuasive indicator of commitment as would site inspections and ultimately the actual commencement of decommissioning.

8. In terms of creating an International Commission to facilitate the decommissioning process, Lord Alderdice believed it would be a matter of regret if some or all of the members of the International Body were unwilling for whatever reason to undertake such work. Its leaders had already established their credibility with the parties and generated a wide degree of acceptance. While they currently lacked the resources to undertake the necessary task, these could be provided. Finally, he noted that, while there must also be some link or liaison with the three stranded talks, if the process of decommissioning and the negotiations were to be pursued in parallel, the Alliance party questioned whether it would be helpful for a direct coupling to be created. There would be a real danger if progress in one track were too directly related to progress in the other on an item by item basis. Alliance saw a liaison arrangement, rather than a tight authority line, as the preferred option.

9. Next to speak was Ken Maginnis for the UUP, half of whose presentation was given over to reading into the record various key UUP documents beginning with the 15 January 1995 paper handed over to the Prime Minister on the UUP's proposals for the establishment of an international commission to verify the decommissioning of weapons. This was followed by reading out the UUP's submission to the International Body on Decommissioning which questioned Sinn Fein/IRA's commitment to democratic peaceful methods. It contended that the Republican movement was only a small minority of a minority whose influence could only be brought to bear through the use of weapons. That was why it was necessary for weapons to be taken out of the equation.

10. Maginnis said that the International Body's report, while it might not have been the report the UUP had wanted, was nonetheless immensely valuable for providing the principles of democracy and the section on the verification of the destruction of weapons. The UUP, he maintained, were not bound, however, by the totality of the report contrary to what Seamus Mallon for the SDLP and the Irish Minister for Justice had suggested.

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11. Maginnis then proceeded to read into the record two further party positions papers - one dated 26 January 1996 covering Sinn Fein/IRA activity in Northern Ireland throughout the ceasefire and one dated 28 September outlining Sinn Fein/IRA strategy for the next decade. In the first, he was extremely critical of the Irish Government and SDLP and even took a swipe at the CBI for failing to take an objective assessment of Republican intentions. All had been guilty of pandering to Sinn Fein/IRA and he accused the Irish Government in particular of being "complicit in aiding and abetting" Sinn Fein/IRA's objectives. The second paper concluded that the ghetto-isation of Northern Ireland was being accelerated by Sinn Fein in readiness for a Bosnian scenario.

12. The remainder of the presentation was devoted to a critical analysis of the statement issued by Seamus Mallon on 30 September. Maginnis accused the SDLP Deputy Leader of self-righteous arrogance and of pandering to the needs of Sinn Fein/IRA but of not considering the needs of the greater number of people in Northern Ireland. His questioning of the commitment of the SDLP to the talks process, because of the regular absence of its leader, drew a robust response from Sean Farren who maintained that his party had ensured close to full representation at every session of the talks and that it ill-served Mr Maginnis to question the SDLP's commitment to the talks.

13. The presentation concluded with a call for the appointment now of a verification Commission which could, in consultation with parties begin to identify what work would be required in bringing about decommissioning and, Maginnis suggested, the Chairman designate was already present in the Conference room (ie General de Chastelain). Maginnis dismissed a Committee of the talks to consider decommissioning issues as totally useless - delegates were ill-equipped to deal with technical aspects. He knew that the Tanaiste wanted a fourth strand in order to make decommissioning conditional on political progress. The UUP's response to that would be 'no' and that meant 'no'. Words from the Republic's government would not reassure: what was required was tangible evidence and immediate action. In all, this negative presentation was one which will not

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have done anything to reassure the Irish Government that the UUP are committed to negotiation and compromise.

14. The plenary session concluded with the Government's initial statement on decommissioning delivered by the Secretary of State (already circulated). It covered, in familiar terms, the British Government's acceptance of the compromise approach in the International Body's report on decommissioning. It asserted that the Government would play a full part in putting in place the necessary machinery and building the right political context in which decommissioning could go ahead. Legislation would be introduced in the near future providing for a decommissioning scheme overseen by an Independent Commission. The Secretary of State reasserted that there had to be an unequivocal restoration of the IRA ceasefire before Sinn Fein could be invited to nominate a negotiating team, and that the actions of the IRA had made it progressively more difficult for the rest of the parties to believe them. Finally, to the shaking of UUP heads, the Secretary of State reaffirmed that the Government still believed that the proposals in the 'suggested conclusions' paper of 30 September represented the best prospect for making progress towards decommissioning.

15. Following a suggestion from Mr Wilson (UKUP) that consideration might be given to calling a meeting of the Business Committee in order to take forward future agreements on the decommissioning issue, which Senator Mitchell agreed could be considered at the end of next week's business, the plenary was adjourned until Monday afternoon.

(Signed)

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