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FILE 512

From: John McKervill
Political Affairs Division
5 December 1996

INT/63/96

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
Mr Steele - B
Mr Bell - B
Mr Leach - B
Mr Watkins - B
Mr Stephens - B
Mr Wood (B&L) - B
Mr Beeton - B
Mr Priestly - B
Mr Hill (B&L) - B
Mr Lavery - B
Mr MacCabe - B
Mr Perry - 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 FCO - B
HMA Dublin - B
Mr Westmacott (via RID) - B
Mr Campbell-Bannerman - B
Mrs McNally (B&L) - B

NOTE FOR THE RECORD

TALKS: 4 DECEMBER 1996

Summary

A relatively quiet day while the Independent Chairmen held bilateral meetings with each of the delegations. The British and Irish delegations held a useful meeting (recorded separately) to review the prospects for the meeting between the two Prime Ministers on 9 December. The UUP failed to meet the British team because of "logistical reason". A meeting at the end of the day with the

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Independent Chairmen gave the latter an opportunity to reveal their decommissioning proposals, which they had floated earlier in the day with some of the other delegations.

Detail

2. In the late morning the two Government teams held a useful meeting which, to some extent, helped to clear the air on the previous week's events and allowed exploratory discussion on the prospects for the meeting between the two Prime Ministers the following week. A full record of that meeting has already been circulated (not to all). Attempts to arrange a meeting with the UUP later in the day to discuss further the decommissioning issue proved fruitless, with the UUP claiming "logistical difficulties". Telephone conversations revealed, however, that the UUP might be resiling from their redraft of the British Government's paper on decommissioning.

3. At 1715 the British delegation, led by Mr Thomas, in the absence of Ministers, had a meeting with the Independent Chairmen, chiefly to receive a report on their meetings in the course of the day with the other delegations. Senator Mitchell began by saying that during the day the Independent Chairmen had held meetings with all the talks delegations and had floated decommissioning proposals with the Alliance Party, the SDLP, the UUP and the Irish Government team. No negative responses had been received. Most had given a favourable reaction, although they had all said that they would wish to consider the proposals further and revert.

4. Senator Mitchell then outlined the Independent Chairmen's proposals, although he stressed that any dates were purely illustrative. Essentially these were that by 15 January the two Governments would announce the formation of an International Commission with the sole task of reporting on the modalities of decommissioning. It would not have any role in judging when decommissioning should start. Assuming that the opening plenary had not been completed by the Christmas break, the opening plenary would

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resume on 1 February for completion. Immediately following completion of the opening plenary, the Business Committee would begin to set out a path for the three stranded negotiations. At the same time a Liaison Sub-Committee on decommissioning would be established.

5. The next step would be the commencement of the three stranded negotiations, either on a specific date eg 15 February, or 10 days after the ending of the opening plenary. Then, on 1 March, or 10 days after the three stranded negotiations had begun, the Commission would present its report to the Liaison Sub-Committee. (At this stage Senator Mitchell reported that the SDLP had made it clear that the Sub-Committee should not have any voting powers - the report of the Commission should merely be passed on to a meeting of the plenary with any recommendations that the Sub-Committee chose to attach to it). After presenting its report, the Commission would go into "hibernation" and would only be recalled when the talks of participants reached agreement on the time to go ahead with decommissioning, for which the Commission would perform a verifying role. (Although the Independent Chairmen had envisaged that the terms of reference of the Sub-Committee would be limited to decommissioning, Senator Mitchell reported that the SDLP had argued strongly that it should also involve itself with confidence building measures).

6. The attractions of the above scheme, the Independent Chairmen believed, were that it gave the SDLP a fixed date for the commencement of the three stranded negotiations and, at the same time, gave the UUP the early creation of an Independent Commission and the certainty of a report, but not before the commencement of the three stranded negotiations. Senator Mitchell reported that the Alliance Party had been hostile to the lapse of activity of the Independent Commission once it had presented its initial report - their concerns were based on a belief that, assuming Sinn Fein had entered the process, the Independent Commission should get on immediately with the verification process of decommissioning. Equally, the UUP had been wary of giving the Sub-Committee any role

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in confidence building issues, but had undertaken to consider further.

7. Thanking the Chairmen for these proposals, **Mr Thomas** said that the British Government would not be the problem. If the proposals flew with others, then HMG would not stand in their way. He wondered, however, whether the UUP were likely to go along with them. The International Body's report had recognised that the crucial decisions on decommissioning would have collective possession. He doubted that the scheme as outlined would meet the requirement. When the issue reached plenary, either there would be sufficient consensus or deadlock. Nor could he detect any camouflage in the scheme which would enable the UUP to move from their demand for an initial tranche of weapons before Sinn Fein could enter substantive negotiations. In discussion, **Senator Mitchell** agreed that Mr Thomas' assessment was probably correct. Their aim however was to get a clear explanation from the UUP of what they needed.

8. As to how this could be taken forward, the **Independent Chairmen** said they would have the scheme written up, although realistically, it was unlikely to be deployed before the beginning of the week beginning 16 December. The UUP had made it clear that they were anxious not to have the Chairmen interrupt the progress they felt they were making in their discussions with the SDLP (NB: Mark Durkan told me later that evening that his party too would be reluctant to see the Chairmen's proposals formally tabled before their discussions with the UUP could be taken as far they could go). In any event, Senator Mitchell would be absent from the following week's talks. The meeting ended with a request from the Independent Chairmen for the British side to consider the alternatives of the scheme using specific dates or time periods.

(Signed)

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