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14/12FROM: W A JEFFREY
DATE: 13 November 1996

LORD PRESIDENT

NORTHERN IRELAND DECOMMISSIONING BILL

You are chairing a meeting tomorrow afternoon at 5.45pm about the Northern Ireland Decommissioning Bill.

2. The main question to resolve is whether the Bill should be extended to Great Britain. This was the subject of the Northern Ireland Secretary's minute of 1 November to the Prime Minister, which is the main paper for tomorrow's meeting. Having consulted other colleagues, including the Home Secretary, Sir Patrick Mayhew concluded that the balance of argument was against extending the Bill to Great Britain, and that the Great Britain aspects should be treated as a separate exercise in slower time.

3. John Holmes' letter of 4 November indicated that the Prime Minister remained less than wholly convinced that the difficulties in the way of extending the Bill to Great Britain were as great as had been suggested, and had asked you to chair the meeting which will take place tomorrow.

4. In the meantime, given the reservations expressed by the Prime Minister, officials have had another look at what would be involved if the Bill were to extend to the whole of the United Kingdom. I attach a paper which the Northern Ireland Office have prepared (necessarily in haste) following a meeting of officials earlier this week.

5. Essentially, the dilemma is this:

- The Bill provides a statutory framework in which a decommissioning scheme would be set. It does not create the scheme itself.
- If (as the defensive lines which have so far been drafted assume) the Government's position is that, at some point in the future, decommissioning must and will extend to the mainland, it is hard to explain why the Bill's overarching statutory framework does not provide for that.

6. The approach set out in the NIO paper would involve acknowledging that there were special difficulties in devising a scheme for the mainland (and perhaps also that it was not yet evident that these difficulties could be overcome), and that the schemes in the different countries of the United Kingdom might well not be identical. The argument would be that, since the objective was to decommission arms held on the mainland, it was right that the statutory framework which would be common to any scheme should cover the whole kingdom.

7. The questions for the meeting are, I would suggest:

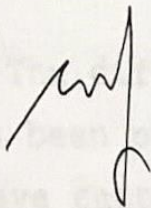
- whether this approach is politically sustainable - it would ease the handling of the UUP, but might raise expectations more than the Home Secretary and the Scottish Secretary would wish;
- whether the idea of a "gatekeeper" role, possibly involving the Commission and the police in assessing the bona fides of those offering weapons for decommissioning and in deciding whether such weapons should be accepted, would go any way towards meeting the concerns expressed by the Home Secretary and the Scottish Secretary;
- if the conclusion is that the Bill should stay as it is, whether the defensive lines to take (current versions attached) are adequate, and what steps should be taken to reconcile the UUP to the preferred approach.

8. If there is time, you may also wish to widen the discussion to include the timing and handling of the Bill. It is becoming clear that it is unlikely to be able to have a Second Reading until the week beginning 9 December. You will want to take the Northern Ireland Secretary's mind on the implications of this, and invite the business managers' views. The key questions seem to me to be:

- whether, in current or foreseeable circumstances, agreement on an accelerated timetable for consideration in both Houses is likely to be achievable;
- in particular, whether there is any prospect of all Commons Stages being taken in a day, or of the Lords agreeing to compress their normal time intervals; and

- the implications of this for the Prime Minister's and the Northern Ireland Secretary's desire to have the Bill on the Statute Book before Christmas.

9. I am copying this minute to the Private Secretaries to the Prime Minister, the Home Secretary, the Chief Secretary to the Treasury, the Northern Ireland Secretary, the Minister without Portfolio, the Lord Privy Seal, the Scottish Secretary, the Chief Whip (Commons), the Chief Whip (Lords), the Attorney General and the Lord Advocate, and to Sir Robin Butler, First Parliamentary Counsel and Colin Budd.



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