



An Chartlann Náisiúnta National Archives

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Meeting of Liaison Group, Dublin, 17 May 1996

Summary Report

1. The meeting took place in Iveagh House and lasted about two hours, with further discussion occurring over lunch. The British side comprised Quentin Thomas, Ambassador Sutherland, Stephen Leach, David Watkins, Peter Bell and Clare Checksfield. On the Irish side were Seán O hUiginn, Seán Donlon, Wally Kirwan, David Donoghue, Fergus Finlay, David Cooney, Paul Hickey and Joe Hackett.
2. In response to British queries, we indicated that in general we anticipated no major difficulties with the British paper on procedural guidelines which, subject to alterations in about six areas, could be agreed. We promised a redraft for early next week. The British confirmed that their latest paper on the procedures for the opening Plenary had been drawn up in case of a failure to reach agreement on a more comprehensive text before 10 June. We undertook to study the latest British paper on the agenda and to give them our views.
3. However, we stated that the British non-paper on decommissioning of 16 May, was a source of great difficulty for us, appearing as it did to reinstate undeliverable demands for physical parallel decommissioning. We maintained that despite the best efforts of the Irish Government to be helpful in resolving the issue it appeared that the British, in their non-paper, had taken none of our proposals (most recently articulated in our paper of 15 May) on board. We stressed that physical decommissioning during negotiations was simply not possible and that the demand for it in the non-paper created the impression of an unwillingness on behalf of the British to engage in an inclusive process of negotiation. We stressed that the Irish Government needed to know where the British Government really stood on this point. We were open to and would do our best to be helpful in advancing the process of parallel decommissioning, but that was a very different matter to making it a *sine qua non* for political negotiations. If it was to be addressed it had to be in terms close to the Mitchell report. We gave them illustrative language on this.
4. The critical importance of the coming week in securing an IRA ceasefire was stressed by our side. If this were to be achieved, it was essential that we enter negotiations with a firm idea of how the decommissioning issue would be addressed. Without this, the chances of the process coming unstuck were high. It was equally essential that any agreed procedures include an "exit strategy" to ensure the viability of negotiations in the event of no clear agreement being reached on decommissioning. We also sought to urge that once negotiations began, regardless of political difficulties at Westminster, we should seek to build rather than break momentum.
5. Responding to our criticisms, the British side sought to emphasis the common ground between the two Governments on the decommissioning issue and advocated the preparation of a common paper for discussion at next week's IGC. Rather than arguing in favour of their non-paper, the British then began to float a number of

possible amendments to the Irish text of 15 May with differences logged in brackets. The remainder of the formal meeting focused on preparing an illustrative text (ad referendum) (copy attached) on the basis of our paper.

6. During this exercise, substantial divergence emerged over the British proposal that the Independent Chairman's statement, signalling his satisfaction that the three confidence building measures had been addressed, would have to be accepted by the Plenary. We argued strongly that such a proposal would undermine the entire point of leaving the initiative with the Independent Chairman. In essence this would remove the crucial "exit strategy" since the Unionists, while they might grudgingly accept a decision of the Independent Chairman, could find themselves bound by their constituencies to oppose his decision if their formal approval was required before it could take effect.
7. Over lunch, a brief outline of items for discussion at the IGC took place. Apart from the decommissioning issue, the British stated the need for Ministers to address the identity of the chairperson(s) and the details of possible consultations with the parties prior to 10 June. They maintained that the bulk of these consultations should occur after the elections given the obvious dangers of parties using documents presented at such consultations for electoral advantage. Their amendments would make the process hostage to the most hardline person at the table.
8. In response to our queries on the names being canvassed for chairpersons, the British indicated uncertainty over the wisdom of re-employing all three members of the International Body. While stating that our idea of asking Senator Mitchell and General de Chastelain to become involved "rings" with their own thinking, there was some reservation expressed on the wisdom of Senator Mitchell having a central role in both the Plenary and Strand Two.

JH
Joe Hackett
Anglo-Irish Division
17 May 1996

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Illustrative text (*ad referendum*)
17 May 1996

Substantive All-Party Negotiations

The Opening Scenario

Where alternative texts in square brackets appear, the Irish text appears first, followed by the British text. Text which appears in square brackets without an alternative has been proposed by the British side, with the exception of paragraph 6, indent 1, where the text is proposed by the Irish side.

Independent Chairman

1. [Senator George Mitchell will be invited by the two Governments to act as Independent Chairman for the negotiations. He will chair the negotiations in Plenary and Strand Two format. He will also act as Chairman of the Business Committee unless, in conformity with paragraph 22 of the Ground Rules, the participants should agree on a different chairman.]

[After the formal opening, the two Governments will invite [...] to act as Independent Chairman for the opening plenary session and any subsequent plenary sessions. The two Governments have also decided to invite [...] to chair meetings in the Strand Two format and he will, accordingly, by virtue of the Ground Rules, also act as Chairman of the Business Committee unless, in conformity with paragraph 22 of the Ground Rules, the participants should agree on a different chairman.]

2. [The two Governments will also invite General John de Chastelain and Mr. Harri Holkeri to assist him in this role and to act as Independent Vice-Chairmen for the negotiations. The Independent Chairman may, with the agreement of the two Governments, designate a Vice-Chairman to deputise for him during a temporary absence, or to assume, under his overall direction, ongoing responsibility for chairing committees or sub-committees within his remit.]

[The two Governments will also invite [...] [and ...]] to assist and act as Independent Vice [Chairman/Chairmen] to act as Chairman of Plenary, Strand

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Two and other meetings as occasion demands. The Independent Chairman of the Plenary and Strand Two may, with the agreement of the two Governments, designate [the/a] Vice Chairman to deputise for him.]

The Opening Scenario

3. The negotiations would open in Plenary session on the basis of rules of procedure drawn up by the two Governments following consultations with the major parties. These rules could be amended by agreement among the participants.
4. The Plenary session would begin with a round of statements during which all participants would make clear their total and absolute commitment to the principles of democracy and non-violence set out in the report of the International Body. In the event of any participant failing to make such a statement, the Independent Chairman would report this to the two Governments for their consideration and appropriate action. [Subject to that, at the conclusion of these opening statements, these commitments would be confirmed in a public statement.]
5. The opening Plenary (if necessary after adjournment to allow the respective strands to agree their particular agenda) would then adopt and commit the parties to negotiate, the comprehensive agenda for the negotiations. The Independent Chairman shall ensure that this agenda provides all the participants with reassurance that a meaningful and inclusive process of negotiations is genuinely being offered to address the legitimate concerns of their traditions and the need for new political arrangements with which all can identify.
6. In the context of the discussion on the agenda, the Governments will table a joint proposal to deal with the decommissioning issue and appropriate related issues as follows:
 - A Committee of the Plenary, comprising all its participants, would be launched to progress decommissioning on the lines set out in the report of the International Body [that is to say, during negotiations].
 - The opening session of the Committee would be chaired by the Independent Chairman, [Senator Mitchell]. Thereafter, it would be chaired, under his overall delegation, by [General de Chastelain]. The Committee will receive appropriate technical support, as agreed between

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the Independent Chairman and the two Governments.

- The detailed remit of the Committee would be [communicated] [proposed] by the two Governments to the participants at the opening Plenary. A proposed remit of the Committee is annexed.
 - The Independent Chairman, or his deputy, would periodically brief the Plenary of the negotiations on the progress made on decommissioning and appropriate related issues, to enable participants to consider progress across the negotiations as a whole.
 - Before the conclusion of the political negotiations, the Independent Chairman would lay before the participants in the Plenary a report setting out the results achieved on the decommissioning issue and appropriate related issues.
 - These results would be considered by all the participants alongside the outcome of the three strands of the political negotiations.
7. Following the adoption of the agenda, the Independent Chairman will convene a meeting of the Committee of the Plenary to address the proposals of the International Body on decommissioning.
8. At that meeting, the Independent Chairman will invite the parties to address the International Body's proposals on decommissioning and will seek to satisfy himself that all the participants are genuinely committed to work constructively [towards the implementation of these proposals] [to achieve full and verifiable decommissioning as part of the process of all-party negotiations]. ~~to achieve full and verifiable~~ *to achieve full and verifiable*
9. Once the Independent Chairman is so satisfied, he shall publish a statement recording that he is satisfied, assuming that this is the case, that all the participants have:
- made clear their total and absolute commitment to the principles of democracy and non-violence set out in the report of the International Body;
 - addressed the International Body's proposals on decommissioning and are genuinely committed to work constructively [towards the implementation of these proposals] [to achieve full and verifiable

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decommissioning as part of the process of all-party negotiations];

- adopted, and committed themselves to negotiate, a comprehensive agenda which provides reassurance that a meaningful and inclusive process of negotiations is genuinely being offered to address the legitimate concerns of their traditions and the need for new political arrangements with which all can identify.

10. Following publication of this statement, [and its acceptance/consideration by the Plenary] the appropriate Chairpersons shall convene initial meetings of the negotiations within the three strands, according to an indicative calendar drawn up in the Business Committee. Work in the Committee of the Plenary would continue in parallel with negotiations in the three strands.

of the Secretary
Remit of the Committee on Decommissioning

The Committee shall seek to:

- (a) secure agreement, on the basis of the guidelines contained in section VI of the International Body's report, on the precise modalities which would apply for the purpose of decommissioning ~~illegally-held~~ ^{held by individuals} armaments with reference, in particular, to the method or methods to be adopted, the composition of the independent commission and its role in the verification process, and the legal provisions to apply;
- (b) [explore the scope for] [secure agreement on] ^{of arms held by combatants & guerrillas} an approach under which some decommissioning would take place during the process of all-party negotiations including the need for the decommissioning process to [be mutual] [cover all illegally held armaments] ^{and all other} and, where appropriate, [the role further confidence-building measures might play] [other matters which the participants may regard as relevant];
- (c) advise the Governments, in the light of these discussions, on the legislative and practical implications of the course which is recommended.

decommissioning

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Phillip M. Donagh

OSCC ideas

- definitions
- agencies
- actual disarmament