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Reference Code: 2021/97/7

Creator(s): Department of the Taoiseach

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IRISH DRAFT: 27 NOVEMBER 1995

INTERNATIONAL BODY: PRACTICAL ARRANGEMENTS

JOINT PAPER BY THE BRITISH AND IRISH GOVERNMENTS

Introduction

1. An International Body (the Body) will be established by the British and Irish Governments to provide an independent assessment on the issue of the decommissioning of arms (the term "arms" includes firearms, explosives and associated or like materials).

Task

2. The Body's task will be to report on the arrangements necessary for the removal from the political equation of arms silenced by virtue of the welcome decisions taken last summer and autumn by those organisations that previously supported the use of arms for political purposes against the background of the widely expressed desire to see all arms removed from Irish politics.

3. The Body will, in particular, be asked to:

- identify and advise on a suitable and acceptable method for full and verifiable decommissioning; and
- report whether there is a clear commitment on the part of those in possession of such arms to a satisfactory process to achieve that in the appropriate context and manner.

Timescale

4. The Body will be invited to submit its report to the two Governments by mid-January 1996.

Composition

5. The Body will be composed of three Members of international standing drawn from countries other than the United Kingdom and Ireland. One of its Members will be designated Chairman.

Status

6. The Body will be independent of the two Governments although appointed by and reporting to them. It will have no statutory basis in either the United Kingdom or Ireland or status in international law.

Working Method

7. It will be for the International Body to determine its own procedures. The two Governments expect it to consult widely, to invite relevant parties to submit their analysis of matters relevant to the decommissioning issue of arms and, in reaching its conclusions within its remit, to consider such evidence on its merits.

Status of the Body's Report

8. The two Governments will consider carefully any recommendations made by the Body and give them due weight on their merits.]

Base of Operations

9. The Body will operate in both jurisdictions. Dedicated offices will be provided in Dublin and Belfast. Offices will be equipped with necessary communications and IT systems.
10. Reserved overnight accommodation in a high quality hotel will be available in both Dublin and Belfast for the Body's Members for the full period of the Body's work.

Payment of Members

11. Remuneration arrangements will be agreed between the two Governments and each Member. Members will be responsible for

any domestic tax liability; the two Governments will advise as necessary on any tax liabilities arising within the British and Irish jurisdictions.

Staffing

12. The Governments would propose that the following staff would be provided in both the Dublin and Belfast offices:

- 1 Personal Assistant (PA) to the Chairman of the Body;
- 2 Typists/PAs to the other Members;
- 1 General Office Manager;
- 1 Receptionist/General Assistant.

The two Governments propose, subject to the agreement of the Governments concerned, that these staff would be drawn from the public services of the member's sponsor Government or by way of some other arrangements acceptable to the Body and the two Governments. Interim staffing arrangements will also be possible if necessary.

13. The Members of the Body may also choose, if they wish, to bring one person each from their own jurisdiction to act as Staffer/Aide to provide support in carrying out their duties. The two Governments will meet the cost of these staff members jointly and will provide suitable overnight hotel accommodation in both Belfast and Dublin.

Travel

14. All air travel costs to and from the United Kingdom or Ireland in connection with the work of the International Body will be funded jointly by the two Governments. Travel agents will be engaged in Belfast and Dublin to provide air travel advice and tickets for the Body. Those travelling on the work of the Body will be entitled to fly business class.

15. A dedicated car service will be available for the use of the Body in both Belfast and Dublin.

Hospitality

16. Provision will be made in the funding of the Body to enable Members, at their discretion, to offer hospitality to those they consult. Guidance in this regard will be provided by the two Governments.

Access to Government

17. Liaison Officers will be appointed by the British and Irish Governments to act as the first point of contact on policy and practical issues in each jurisdiction.

Legal Issues

18. Detailed guidance on legal issues relevant to each jurisdiction will be provided to the Body by the respective Governments. As

the Body will have no statutory basis in either jurisdiction, it will not enjoy any general criminal or civil immunity.

Funding

19. The Body will be funded jointly by the British and Irish Governments. All office running costs, overnight accommodation charges, Members' remuneration, staff costs, travel costs and any other costs arising will be met equally by the two Governments.

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APPROACHES TO US ADMINISTRATION ON REMUNERATION OF SENATOR GEORGE MITCHELL AND STAFFING OF BELFAST AND DUBLIN OFFICES

Remuneration

We should be grateful for advice on what Senator Mitchell might expect in terms of remuneration. We are aware that Martha Pope earlier suggested that Senator Mitchell might not be able to accept any remuneration if appointed to the International Body. Grateful if you could approach the US administration informally to sound them out on what he might accept, or be allowed, by way of remuneration and what his official position within the Administration, and salary, is at present. If he cannot be paid directly, and remains on the US payroll, will the Administration seek reimbursement of his salary? HMG and Irish Government propose to pickup any-out-of-pocket expenses incurred by Senator Mitchell whilst on the Body's business, and to pay for all travel; please confirm with the Administration that this would be acceptable.

Staffing

The two Governments believe that the independence of the Body will be important in generating public confidence and ensuring its acceptability. The arrangements to be made for the Body are intended to emphasise that independence.

The Governments will provide offices in Belfast and Dublin and anticipate that the following staff will be required in both offices:

- 1 Personal Assistant to Senator Mitchell
- 2 Typists/PAs to the other Members
- 1 General Office Manager
- 1 Receptionist/General Assistant

Staffing is likely to be a sensitive issue in terms of creating public confidence and ensuring the acceptability of the Body as a whole. Whilst the two Government stand ready to provide staff from within their public services, to do so may be perceived as impairing the independence of the Body from the two Governments

and be perceived as being to the detriment of its duty of confidentiality. The two Governments suggest, therefore, that these staff should be seconded from the public services of the Members' sponsor Governments (ideally by way of secondment of local diplomatic staff), if the sponsor Governments are content to do so. Grateful if you could sound out the Administration informally on the possibility of seconding staff and explaining the advantages we see in such an arrangement. The two Governments would, of course, reimburse the US Administration for the full cost of any staff seconded.

Finally, the two Governments suggest that the Members of the Body might choose, if they wish, to bring one person each from their own jurisdiction to act as a Staffer/Aide to provide support in carrying out their duties. The two Governments will meet the cost of these staff members and will provide overnight accommodation in both Belfast and Dublin. May be worth exploring with the Administration whether Martha Pope might fill this role, or whether they (or Senator Mitchell) have someone else in mind.

This approach should be undertaken jointly with the British Embassy.

(B) Draft Questions and Answers for Irish Government

1. **Is the Body concerned with all arms, or just illegal arms?**

*see
our
answer
to
Q 3*

As the Tanaiste said on 6 November, we are talking about decommissioning of unauthorised, illegal, paramilitary arms. Sinn Fein is entitled to state its aspiration in relation to demilitarisation but it is essential to make a clear distinction between legally and illegally held arms. It is one of the marks of any civil power that its army and its police have the right to bear arms to defend the existence of the State or the political entity in question. This is entirely separate from any question of arms held by organisations other than the duly recognised civil powers.

2. **What will be your attitude to decommissioning after a satisfactory report from the International Body?**

*as
for
your
answer
to
Q 4*

We shall consider carefully any recommendations the Body makes and give them due weight on their merits. As the Taoiseach has said, we think there has got to be serious progress made on putting the guns out of commission. Unless there is a clear sign of progress on decommissioning the talks will not work on the necessary basis of trust, confidence and parity between participants.

3. **If the Body reports that there is no practical reason why decommissioning should not start straightaway, will you urge Sinn Fein to implement its recommendations?**

No-one is bound in advance to accept their recommendations, which will be purely advisory. We shall urge all parties to approach the Body with an open mind and to consider carefully any recommendations it makes and give them due weight on their merits.

4. You are committed to the firm aim of achieving all-party negotiations by the end of [January/February] 1996, but what if all parties won't attend?

We believe that, with co-operation from all the parties in both tracks, that aim should prove achievable. We shall use our best endeavours to achieve it. But, as the Taoiseach has made clear, for talks to be fruitful we must have all the relevant parties at the table. Since the aim is to achieve agreement among the divided people of Ireland, there would be no point in talks at which the Unionist viewpoint was not properly represented.

IrishQA