



An Chartlann Náisiúnta National Archives

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Secure Fax: 1110sf

Date: 22 September 1998

For: HQ
For: Secretary Gallagher

From: Belfast
From: Joint Secretary

Copy
Mr. Loughlin
24.9.98
Mr. Hurwin 1/5
SEEN
24/9
TAOISEACH

Subj: British paper on ways to overcome present impasse

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1. We have just been given the attached paper on a range of options for overcoming the decommissioning/shadow Executive impasse.
2. We are told that this paper, which was prepared by Jonathan Stephens, has been approved by the Secretary of State and is also in conformity with the views of the Prime Minister (though it has yet to be forwarded to No. 10).
3. The purpose of the decommissioning section is to suggest ways in which Sinn Féin and the IRA might demonstrate an enhanced commitment to decommissioning, while falling short of a start to actual decommissioning. Although the latter is listed as the optimal step, the basic analysis on the British side is that it will not be achievable in current circumstances and that Unionists will have to settle for "something less" at this stage.
4. The "timescale" idea has been mentioned in various conversations here over recent days. I have pointed out that, while a timescale for resolving modalities might be imaginable, one which fixes a date for the beginning of actual decommissioning would be in direct contravention of the Agreement. My impression, however, is that the British will be pushing for this as the key to unlocking the formation of the shadow Executive. They will maintain that, against a background in which Trimble's party (not to mention his opponents both within it and outside it) are demanding a start to actual decommissioning before the shadow Executive can be formed, the two Governments would be doing well to get Trimble to accept that the shadow Executive would be formed on the basis of a mere timetable.

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5. To meet concerns about delays in forming the shadow Executive, the paper proposes an intensification of preparatory work with the Assembly, including consideration of a possible Programme of Government. It also proposes greater Assembly involvement in the preparations for the shadow North/South Ministerial Council. ~
6. While recognising the value of measures to avoid a political vacuum developing over what could be a protracted period, I expressed reservations about the proposal for contact between ourselves and the Assembly on matters relating to the North South Ministerial Council in advance of formation of the shadow Executive.
7. I also expressed reservations about the first two of the "other possible measures" listed at the end of the paper.

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POTENTIAL ELEMENTS OF PROGRESS

- **Progress on decommissioning.** Steps might include (with similar steps for loyalists):
 - further meetings between Sinn Féin and Decommissioning Commission
 - reiteration of Sinn Féin's commitments on decommissioning in Agreement and/or statement on how they are/plan to use their influence to achieve decommissioning
 - agreement on a work programme to resolve modalities
 - agreement on a timescale for resolving modalities and starting to decommission
 - report from Decommissioning Commission on extent of co-operation
 - acceptance by the IRA of the need to decommission in the context of implementation of the Agreement as a whole
 - a start to decommissioning.
- **Other confidence-building measures** on all sides, for example:
 - action on the "disappeared"
 - end to punishment beatings
 - publication of "normalisation" strategy
 - continued implementation of security de-escalation measures.

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- Progress on formation of the Executive. Steps might include:
 - further multilateral and bilateral meetings between FM/DFM and all Assembly parties
 - formation of all-party Assembly committee to assist FM/DFM
 - agreement on work programme to resolve structural/policy issues prior to formation of shadow Executive
 - agreement on timescale for resolving issues and forming shadow Executive
 - consideration of possible "Programme of Government" among all parties
 - consideration of structural proposals for departments
 - formation of shadow Executive.
- Progress on Strands 2/3. Steps might include:
 - further multilateral and bilateral meetings between FM/DFM and all Assembly parties
 - formation of all-party Assembly committee to assist FM/DFM on N/S issues
 - preliminary informal meeting between Assembly committee/Irish Government to consider work programme for shadow N/S Council once established
 - similar arrangements to prepare for BIC

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- first meeting of shadow North/South Ministerial Council, leading to agreement on implementation bodies by 31 October

- first meeting of shadow BIC.

- Other possible measures:
 - possible review of implementation of Agreement as a whole, prior to devolution and coming into force of British/Irish Agreement

 - undertaking by both Governments not to bring devolution and British/Irish Agreement into force until sufficient progress made in implementing all elements of Agreement

 - continued implementation of rest of Agreement, eg Northern Ireland Bill, establishment of Human Rights/Equality Commissions etc.