



HOUSE OF COMMONS
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DECOMMISSIONING

THE SUBMISSIONS OF THE UK UNIONIST PARTY

INTRODUCTION:

The issue of decommissioning cannot be considered in isolation from the political objectives of the major participants or their strategies and tactics for achieving them. Regardless of the denials of government that their policies are unshaped by terrorist activity, no-one believes this to be true. The reality is that there can simply be no public admission that political violence pays.

Methods apart, constitutional nationalism and violent republicanism have a common goal, the unification of Ireland. For the Irish Government, unification is a constitutional imperative. For the SDLP, the satisfaction of the minority's civil rights claims has left it to compete more openly with Sinn Fein on the common objective of Irish unity. On major constitutional issues, the position of both parties is barely distinguishable.

The 1985 Anglo-Irish Agreement formed the last major effort by the British Government to accommodate nationalist requirements for a political settlement within the United Kingdom. The undemocratic manner of its inception and the powers which it afforded a foreign

government over the internal affairs of what is part of the United Kingdom created a degree of pro-Union distrust which still informs their relationship with the British government. Between 1985 and 1991, a clearly discernible pro-nationalist emphasis was evident in terms of the government's economic preference, social engineering, and legislative measures. The virtually unfounded assertion that high Catholic unemployment was the result of discrimination was embodied in legislative measures although independent research has clearly established that such discrimination as a cause of this effect was negligible.

All these efforts, while enjoying positive results among the minority population as a whole, found no favour with the SDP. Sinn Fein/IRA remained as uncompromising as ever but became increasingly aware that personal and property violence in Northern Ireland was, within limits, both politically acceptable and economically containable by the government. Real political pressure upon the government could be best achieved by attacking targets on the mainland that were both politically and economically spectacular.

The Brooke/Mayhew Talks of 1991/1992 merely confirmed that the existing strategy of nationalist accommodation had failed to either marginalise Sinn Fein or stop IRA terror. The SDLP remained committed to the idea of joint authority in the interim with a strengthening and expansion of the powers given to the Republic under the Agreement. Pro-Union parties, on the other hand, continued to reject the terms of an Agreement that was undemocratically imposed so that, although a settlement proved impossible, both governments had been able to assess

the terms upon which some degree of pro-Union acquiescence might be obtained.

The failure of the Brooke/Mayhew Talks broadly coincided with the emergence of other factors which were to turn the direction of joint government policy away from the accommodation of nationalists within the United Kingdom towards the appeasement of republican extremism by a policy aimed primarily at Irish unity but for which at least a degree of pro-Union acquiescence was necessary.

On 19th September 1988, the Irish Times published the full text of the Hume/Adams Talks (see Appendix 1). Even a cursory perusal of this statement will confirm that the entire programme from the Downing Street Declaration to the Ceasefire is adumbrated in the Hume proposals and response. Mr. Hume confirmed that, politically, the positions of Sinn Fein and the SDLP were not unduly removed from one another and were bridgeable. The objective was to create some form of political control over the terrorist arm and this depended upon persuading Sinn Fein/IRA that terror had maximised its political effect and its gains could only be further exploited through democratic activity so that the goal of Irish unity could be best served through the mechanism of a Pan Nationalist front. The declaration of a cease fire would afford Sinn Fein political credibility and association with the SDLP, the Irish Government, and Irish America would complete the process of democratic acceptability. There seems little doubt that this strategy was being considered by both governments before and during the Brooke/Mayhew Talks. Indeed, Mr. Brooke's statement, since embodied in the Downing Street Declaration of December

1993 that Britain had no strategic, economic or selfish reasons for remaining in Northern Ireland is an almost straight adaptation of Mr. Hume's stated belief in September 1988 that "Britain has no interest of her own in remaining in Ireland, that she has no strategic, military or economic interests and that, if the Irish people reached agreement among themselves on, for example, Irish unity, that Britain would facilitate it, legislate for it, and leave the Irish to govern themselves".

Central to the effectiveness of such a grouping is the political leverage which can be claimed by the constitutional element arising out of its real or perceived control over its violent component. Political concessions may be the reward of those who can, allegedly, influence the declaration of a cessation of violence or over those threatening to violate an existing cessation. Demonstrations of these forms of political leverage have been evident throughout the current process. A pre-requisite to the use of this political muscle is the retention within the particular grouping of a terrorist capacity. Just as the retention of weapons afford Sinn Fein both a prominence and influence beyond any electoral mandate it possesses so the retention of Sinn Fein within the Pan Nationalist camp by proxy affords that grouping increased bargaining power. In this situation, a distinction must be drawn between the desire to see ultimately all arms removed from the political ethos of the state once the state's political objectives have been realised and a process which requires all arms to be removed from the equation in order that the democratic process alone may determine the validity of any participants' objectives. Paragraph 23 of the Mitchell Report states that an agreed political settlement and the total verifiable disarmament of all paramilitary organisations are ultimately

essential if the gun is to be taken out of Irish politics. That may be a self-evident truth but it does not answer the question as to whether an agreed political settlement is possible while the guns remain. Commitments to the Mitchell principles do not remove the influence of the gun while it continues to remain in circulation.

The UK Unionist Party considers that whether the Irish Government or the SDP desire or intend it, progress towards the political goal which they share with Sinn Fein/IRA has been advanced by violence and that the retention of weaponry by Sinn Fein/IRA is of less significance to them than it is to the pro-Union parties who, if democratic principles alone are observed, can attempt to preserve their electorate's position within the United Kingdom as equal British citizens.

Another significant factor in the shift in policy from accommodation to appeasement is the IRA's mainland bombing campaign. The bombs at Warrington and the Baltic Exchange, though different in character, were both of great political effect. The wanton murder of children and the attack upon the commercial heart of the city of London rendered the British Government more responsive to the calls of Mr. Hume and Mr. Reynolds for a new strategic policy departure. The formation of the Pan Nationalist Front and the sanitising of Sinn Finn enabled the British Government to appeal directly to the latter via secret negotiations along the lines of a ground plan already laid out by the SDLP and the Irish Government. Indeed, the persistent theme of the SDLP that the two governments can take decisions over the heads of other participants still echoes in these current Talks and confirms that the stage, in 1992, was

being set not for a search among democrats for an agreement in accordance with democratic procedures but the holding of a peace conference between the representatives of violent and extreme nationalism and the British state. The aim of Sinn Fein/IRA has always been their involvement in an exercise in conflict resolution to end hostilities between two sides, who have been pursuing their legitimate aims as they saw them by the use of arms legitimately held. In this context, the presence of the democratic representatives of Northern Ireland's parties are viewed by Sinn Fein as an irrelevance. This is a position to which the attitude of both governments and the SDLP has lent credence. Many of the participants in the present Talks do not appreciate that their presence constitutes nothing more than a democratic veneer necessary to lend credibility to arrangements originally designed to be a peace conference between the British Government and the plenipotentiaries of terrorism to determine the latter's terms for peace. The presence of the Irish Government and the SDLP within the Talks would not only strengthen Sinn Fein's position but would advance progress towards their own common objective. For this reason it is evident that the constitutional element of the Pan Nationalist Front is anxious to have Sinn Fein at the Talks at any price. What this front requires from the pro-Union parties is not their consent but their acquiescence.

Since the presence of Sinn Fein is essential, nothing including any requirement for decommissioning will be permitted to obstruct their entry. This entire process has, to a degree, legitimised the political terrorism of the IRA and elevated it from the role of a ruthless, anti-social and anti-democratic organisation to that of an essential participant without whom

the process is not worth a penny candle. This view, expressed by Mr. Fergus Finlay, one time special advisor to Mr. Spring, underlines the real function and purpose of the present Talks, which are not about finding a basis for democratic agreement which given the parameters of the present Talks and the position of the parties, is probably unlikely; it is about eliciting the terms upon which the IRA will make peace with the British Government.

The determination of both governments and the SDLP to overcome all obstacles which would form a constraint on the participation of Sinn Fein provides further evidence for the above analysis. The political leverage in any negotiations available to nationalist groupings by the use or threat of violence is manifest. Any negotiations which take place against such a background are bound to prejudice the pro-Union position. While the pro-Union parties can do little to limit such prejudice while Sinn Fein/IRA remain outside the Talks, they are most definitely in a position to decide the terms upon which they will participate with Sinn Fein in accordance with democratic procedures inside the Talks. The UK Unionist Party will not remain in the Talks Process if Sinn Fein are admitted at any stage without the IRA declaring a complete and permanent cease fire upon such conditions as offer real confidence in their bona fides and which would include providing an earnest of good faith for that declaration by the immediate handing over of a significant quantity of guns and semtex. Thereafter, detailed arrangements and modalities for the destruction of the remainder could be put in place. Such ongoing arrangements for decommissioning would be completely independent of any political progress that might be made in contemporaneous political

discussion. Any arrangement which involves the principles of the decommissioning of guns and semtex in exchange for political progress as determined by Sinn Fein/IRA is wholly unacceptable.

THE REPORT OF THE INTERNATIONAL BODY:

Both governments, the SDLP, and a number of the minority parties, have indicated their willingness and, indeed, their intention to approach the issue of decommissioning by an implementation of the Report of the International Body as a whole. The UK Unionist Party, while acknowledging and accepting the six principles set out in paragraph 20 of the Report, does not accept the Report in its entirety and cannot agree to implement it on that basis.

In particular, paragraphs 34 and 35 offer no foundation for an acceptable form of decommissioning. Paragraph 34 is nothing more than a suggested compromise between a pro-Union requirement that some decommissioning occur prior to All Party Negotiations beginning and Sinn Fein's declared position that there would be no decommissioning of any kind until an agreed settlement which they could endorse had been reached. The suggested compromise in paragraph 34 offered some decommissioning during the process rather than before or after. The reasoning behind this suggested compromise is flawed in its basic premise that each party is starting off from an equa-distant point and compromise represents a midway position. The pro-Union parties, whatever their political objectives, are starting from the position of accepting democratic procedures as the only means of obtaining these. Sinn Fein/IRA are

beginning from the totally anti-democratic position of using violence for political ends regardless of the principles of democracy. The decommissioning of weapons is not, in the opinion of this party, to be viewed as a surrender by anyone to anyone but as a mere acceptance of democratic principles and procedures as the basis for the settlement of disputes and the attainment of political objectives.

The flaws in the reasoning in paragraph 34 is further illustrated by the terms of paragraph 35. The suggestion in paragraph 34 is said to offer an opportunity to use the process of decommissioning to build confidence by offering progress on political issues as the price for modest mutual steps on decommissioning. Stripped of its political padding, paragraph 35 suggests decommissioning in return for political concessions. In any event, the real question would be who will determine and upon what criteria, what is political progress and assess its value in terms of quantities of guns and Semtex? The answer can only be that those who have weaponry will determine both questions. Nothing more vividly illustrates the general principles stated above that the object of the Talks is not the determination of a democratic settlement but the assessment of the IRA's price for a permanent cessation of violence. If one accepts the Prime Minister's declaration on 16th December 1993 that only the men of violence can give peace then the ascertainment of their terms for such peace is manifest in paragraphs 34 and 35 and becomes clearer on any detailed analysis of the Joint Government Scenario document of 6th June 1996, paragraphs 9 to 14. Paragraph 9 promised an agenda that would provide all the participants (presumably to include Sinn Fein/IRA) with reassurance that an inclusive process of negotiation was genuinely being

offered to address the legitimate concerns of their traditions and the need for new political arrangements with which all can identify. Pared to its essentials, Sinn Fein/IRA were being told that the Union was up for negotiation despite the principle of consent.

Paragraph 10 confirmed the commitment of both governments to paragraphs 34 and 35 of the Mitchell Report and to the implementing of all aspects of that document. It was, however, paragraphs 11 to 14 that revealed the true intentions of both governments to ensure that Sinn Fein/IRA were not required to decommission at all during the negotiations. It was evident that the governments had accepted, as had Senator Mitchell, that there was absolutely no prospect of Sinn Fein/IRA decommissioning before, during or after the negotiations unless an outcome which they could endorse was concluded. Paragraph 26 of the Mitchell Report merely reiterated part of this conclusion to the effect that the paramilitary organisations would not decommission any arms prior to all party negotiations. The truth was that the Commission was given no indication at all by Sinn Fein/IRA that they would decommission any arms during the process of negotiations - a position that Sinn Fein spokesmen have reiterated on many occasions since the Report was published.

Paragraph 11 of the Scenario Document proposed that Senator Mitchell should satisfy himself of the good intent of all participants to be constructive and show good faith to secure the implementation of the report in the context of an inclusive and dynamic process which builds trust and confidence as progress is made on the issues. Paragraph 12 then proposed that when Senator Mitchell had so satisfied himself, a sub-

committee would be formed with the Senator in the chair. A composite whereby Senator Mitchell would be the litmus paper for good intent and the arbiter of good faith and the establishment of what was, effectively, a fourth strand in the form of a sub-committee on decommissioning, would have constituted "addressing the decommissioning issue". Paragraph 13 provided that once the issue of decommissioning had been addressed in this way, the opening plenary would be concluded and, essentially, negotiations in what would now have been four strands, would proceed alongside each other. Until this Scenario Document had been produced, the British Government had failed completely to give any understandable explanation or definition of what the term "addressing decommissioning" actually meant. The strenuous pro-Union objection to this scenario for addressing the decommissioning issue is a matter of record and both governments withdrew the proposal. It is the contention of the UK Unionist Party that the rejection of the above proposals which would have invested Senator Mitchell with extraordinary powers was fully justified by post-Report events. These events, beginning with the Canary Wharf bomb in February 1996 confirmed that the Commission had either been misled by the provision of inaccurate data or had been guilty of errors of judgement in concluding, in paragraph 25 of the Mitchell Report, that there was a clear commitment on the part of those in possession of arms to work constructively to achieve full and verifiable decommissioning as part of the process of all party negotiations. Not only did such commitment not extend to decommissioning prior to such negotiations, it did not extend to the cessation of active planning and preparation for outrages such as Canary Wharf and those that followed it. For both governments, in June 1996, to attempt to invest Senator Mitchell with the proposed powers post

Canary Wharf confirms, more than anything else, their determination to arrange a peace conference including terrorists rather than to prepare for a democratic round of negotiations with parties abiding by democratic procedure. This conclusion is strengthened by the continued insistence of both governments in keeping open contacts with Sinn Fein even after the bomb at Thiepval Barracks. The basic assumption underpinning the Mitchell Report was the Commission's conclusion "that there is a clear commitment on the part of those in possession of such illegal arms to work constructively to achieve full and verifiable decommissioning as part of the process of all party negotiations". This determination was founded upon what the Report described as "the sustained observance of the cease fires", which had then existed for more than a year. This factor, according to the Report, was of such significance that it had to be given weight in assessing the commitment of the paramilitaries to work constructively to achieve full and verifiable decommissioning. However, since the Report was published in January 1996, the IRA cease fire has been terminated by a series of appalling atrocities which have resulted both in the loss of life and damage causing billions. The IRA has also publicly declared that it will never decommission its arms until it has achieved its final objective. In these circumstances, it is impossible not to conclude that the whole basis of the Mitchell Report has been destroyed. Despite this, as indicated above, both governments, the SDLP and a number of the minority parties continue to base their policy towards Sinn Fein and the IRA on the implementation of this Report. Moreover, they insisted that Senator Mitchell be appointed as Chairman of the Talks. This Party has concluded that, in these circumstances, a renewed IRA

cease fire no more permanent than its predecessor is all that will be required by both governments to admit Sinn Fein to the Talks Process so that the original strategy of both governments and the SDLP can be achieved. There can be no foundation in the present circumstances for Senator Mitchell or his colleagues assuming that there was any commitment of any kind on the part of Sinn Fein/IRA to a full and verifiable process of decommissioning.

PROPOSALS OF THE BRITISH AND IRISH GOVERNMENTS AND THE SDLP ON DECOMMISSIONING:

The proposals of the above participants, though displaying some variation in language, essentially advocate the implementation of all aspects of the Mitchell Report particularly paragraphs 34 and 35. These paragraphs constitute a recurrent feature of all joint governmental documents and reflect the political strategies of these participants for the ultimate solution of Irish unity as the eventual outworking of the Framework Proposals. These Proposals offer a strategy for the erosion of the principle of consent by a process of functional unification of the institutions of government and the economy and by confining the principle of consent to the issue of nominal sovereignty. It was this strategy that made the integrity of the Ground Rules Document of 16th April 1996 a vital requirement for these participants.

The requirement of any party, particularly Sinn Fein, to undertake to abide by the principles set out in paragraph 20 is in no way inconsistent with the IRA retaining all its weaponry right up until the conclusion of any talks process. In particular, the language of paragraph 23 requires careful

study. This paragraph states that commitment to the six principles, if made and honoured, would remove the threat of force before, during and after all party negotiations. With respect to the draftsman, this does not follow. The object of the principles is to focus all concerned on what is ultimately essential if the gun is to be taken out of Irish politics, namely an agreed political settlement and the total and verifiable disarmament of all paramilitary organisations. Senator Mitchell could rightly claim as a self-evident truth that an agreed political settlement would bring about a willingness to have total and verifiable disarmament. However, what is really required to obtain that ultimate agreed political settlement is a prior agreement to bring that ultimate conclusion about by democratic means only and some real evidence of the good faith of those presently committed to violence.

SINN FEIN/IRA:

Few neutral and objective observers would disagree with the conclusion that these organisations are so inextricably bound together in political objectives and the shared experience of their personnel as not to be separate entities. The British Government has repeatedly claimed the organisation to be two sides of the same coin and it is hardly open to dispute that Sinn Fein as a party with a 15% mandate would, in democratic terms, be a minority party with a proportionate political influence if it was bereft of its present terrorist associations. Once, however, Sinn Fein is admitted to any stage of the Talks, it will insist that its representation is on the basis of its electoral mandate as a political party and that it has no responsibility for or control over the IRA other than the political advice, mediation or directional influence it may offer. Sinn Fein will contend

that it has no difficulty in undertaking to abide by the Mitchell Principles or any agreements on decommissioning since it is not involved in anything but democratic politics and, as a political party, has no weapons to decommission. It is vital, therefore, that before Sinn Fein could conceivably be admitted to these Talks that appropriate terms and safeguards be obtained not just from Sinn Fein but from the IRA.

The terms of admission for Sinn Fein must relate not only to the nature and duration of any new cessation of violence, but must also relate to the issue of decommissioning. The anxiety among the pro-Union parties is that the governments, in their determination to include Sinn Fein, will accept a cease fire whose durability is as fragile as that of August 1994 and will enter into decommissioning arrangements that will not require any real or effective handing over of weapons. Arguments that the IRA can withhold weapons or re-arm miss the point. The terms of decommissioning and of an acceptable cease fire are about the conditions which democrats themselves set for the entry of those previously committed to violence into discussions with those wedded to democracy. Of course, people of bad faith can break conditions upon which they have agreed to enter democratic discussions but such violations after agreement would relate to the circumstances of their ejection from the Talks rather than their initial admission. Allegations by both Sinn Fein/IRA and representatives of the Irish Government such as Mr. Albert Reynolds that decommissioning was never a pre-condition of entry into the Talks just do not bear examination. The attached article by Professor Paul Bew (Appendix 2) details the public statements made by the various parties and which constitute a refutation of any such allegations.

THE RELATIONSHIP OF THE TERMS OF ANY NEW CEASE FIRE
WITH THE ISSUE OF DECOMMISSIONING:

The permanence of a cessation of any IRA violence has a direct bearing upon the issue of decommissioning and the modalities for its implementation. The language used to describe any new cessation of violence must deal with not just the nature of the cease fire but its duration. If a cease fire is declared to be both complete and permanent there can be no logical basis either for the retention of weapons or for objections to agreements providing for an immediate commencement of a process of decommissioning. Conversely, a failure to declare that a cease fire is of permanent duration coupled with a reluctance to decommission either before, during or after negotiations must be construed as a very strong indication of a rejection of absolute commitment to democratic procedure and a reservation that, if such procedure does not afford an acceptable outcome, there will be a return to violence. The British Government reiterates in its Speaking Note of 30th October 1996 that, under the legislation, there must be an unequivocal restoration of the IRA cease fire before Sinn Fein can be invited to nominate a negotiating team. The UK Unionist Party finds this requirement wholly inadequate. The original terms for an IRA cease fire required it to be permanent. This was a reflection of paragraph 10 of the Downing Street Declaration to the effect that the achievement of peace must involve a permanent end to the use of, or support for paramilitary violence. The passage of time has dimmed the concentration of political attention on the importance attaching to the use of the word permanent in the period between 16th December 1993 and 31st August 1994. Both the Irish Government and the SDLP

accepted the requirement of permanence and were vocal in their claims that the IRA's use of the word "complete" was synonymous with the word "permanent". This ignored entirely that the term "complete" was a description of the nature of the alleged cease fire but was no indication of its duration or permanence. The British Government, on the other hand, refused to accept that "complete" meant "permanent" but side-stepped the issue by adopting a working assumption of permanence after the cease fire had held for a period of three months. In the event, this cease fire proved to be nothing more than a temporary and tactical respite with all subsequent available evidence indicating that the gains which the IRA obtained in terms of the relaxation of security measures and surveillance were used for the purposes of training, monitoring targets, testing weapons and putting in place logistical arrangements for the outrages commencing with Canary Wharf. To suggest, therefore, that the unequivocal restoration of such an arrangement would be a passport for Sinn Fein's entry into the Talks does nothing but confirm the general thesis of this paper that the purpose of the negotiations is primarily peace with terrorists rather than a settlement of differences on the basis of democratic procedures. The definition of the cease fire required is the institution of a cessation of all violence which is both complete in its nature and permanent in its duration. An end to violence on these terms would, on any logical basis, obviate the need for the retention of any weapons. Conversely, anything less than such terms would merely strengthen the need for more stringent decommissioning requirements.

As page 2 of the British Government's Speaking Note states, a start to decommissioning of illegal arms would demonstrate a practical

commitment to exclusively peaceful methods. On this basis alone, decommissioning cannot be separated from the terms of any declaration of a cessation of violence. An immediate handing over of significant arms and semtex must accompany any declaration that violence has terminated both completely and permanently. Conversely, any verbal declarations no matter how strongly worded cannot be accepted without a practical demonstration of good faith. The breach of the August 1994 cessation and the evidence of activity during it for the preparation of its breach demands more stringent rather than reduced evidence of both the good intentions and the good faith which other parties, dedicated to the principles of democracy, are entitled to demand.

The suggestion that the enormity of Sinn Fein/IRA's current activity, the flexibility of their political demands, and their stated refusal to decommission, makes the likelihood of their entry so improbable as to render, for the present, decommissioning a less immediate issue, can only be described as absurd. The flexibility of Sinn Fein's opportunist policies on tactical issues coupled with the anxiety of both governments and the SDLP to have them admitted upon any terms means that a declaration of a cease fire on almost any basis would see them included. John Major informed the leader of this party that a permanent cease fire was not being required from Sinn Fein/IRA since it was plain that it would never be given. The terms of any cease fire which the IRA decides to offer will almost certainly be accepted by both governments. Moreover, it is the governments not the other participants who will determine whether the requisite terms have been met by Sinn Fein/IRA for entry into the Talks process. It is, therefore, absolutely essential if the other participants are

to exercise any control whatever that they clearly lay down in advance the decommissioning principles and requirements that they will insist upon being implemented before they participate with Sinn Fein in democratic negotiations.

THE PRINCIPLE OF MUTUALITY:

Paragraph 35 of the Mitchell Report states, inter alia, "as progress is made on political issues even modest mutual steps in decommissioning could help create the atmosphere needed for further steps in a progressive pattern of mounting trust and confidence". This reference can only be to mutuality as between republican and loyalist paramilitaries through the medium of the political parties fronting them. This interpretation is confirmed by the language of paragraph 50:-

"decommissioning would take place on the basis of the mutual commitment and participation of the paramilitary organisations. This offers the parties another opportunity to use the process of decommissioning to rebuild confidence one step at a time during negotiations".

Here again, the emphasis is on progress on political issues being the quid pro quo for modest mutual decommissioning. Not only does this imply that the front parties for the paramilitary organisations will be the subjective arbiters of political progress but that the paramilitary organisations will, in turn, determine if such progress merits the handing in of some weapons. The whole direction of these Talks will be determined by the demands of anti-democratic terrorists which might be a valid consideration if the Talks constitute a peace conference between

combatants but totally unacceptable in the context of democratic negotiations.

The absurdity of the mutuality principle is highlighted by the fact that the political objective of Sinn Fein/IRA is the total opposite of the PUP-UP/CLMC aspirations. One group is inflexible on the goal of Irish unity, the other declares itself absolutely committed to the preservation of the Union. Political progress for one is, by definition, defeat for the other. If Sinn Fein decided that there had been sufficient progress towards its goal to warrant a modest decommissioning on the basis of a mutual degree of loyalist compliance, the whole scheme would founder immediately. This is typical of the difficulties that arise when political expediency is substituted for democratic principle.

The loyalist fringe parties have been admitted on the basis of a continuing loyalist cease fire and their own acknowledgement of the Mitchell Principles. The CLMC still retains its weaponry and, on the basis of the mutuality principle, will not be required to decommission as the price of its political representatives remaining within the Talks. The presence of the loyalist parties is an absolute requirement for both governments if Sinn Fein is ever to be admitted and the governments' real objective of a peace conference implemented. The loyalist parties are, in fact, the beneficiaries of the threat of violence, for rewards may be offered not only for restoring or renewing cease fires but also for maintaining them. Only upon these terms can some loyalist prisoners convicted of the most serious crimes against humanity known to society be described by national politicians as "the unsung heroes of the Peace Process".

THE MACHINERY AND MECHANISMS FOR ACTUAL
DECOMMISSIONING:

The UK Unionist Party endorses the importance of agreeing the legislation both primary and subsidiary necessary to implement compliance with the principles upon which actual decommissioning will take place. These considerations can, however, be treated as ancillary to the fundamental requirements. The principles should set out what the parties fronting paramilitary organisations are required to do in order to participate in democratic negotiations. The modalities and machinery for decommissioning relate in their essence as to how and in what manner compliance with the agreed principles will be effected. Mr. Adams and others fronting paramilitary organisations have indicated their willingness to discuss at length the nature and application of the machinery for decommissioning. Indeed, this very possibility is a cause for pro-Union concern as to what would happen if decommissioning was consigned to a fourth strand. Political negotiations might, in these circumstances, be accelerated down one track within a fixed time table (favoured by both the SDLP and Sinn Fein), while endless discussions about legislation modalities, possible amnesties and procedures for delivery of weaponry insured that the time tables for the decommissioning train were never ever agreed let alone the train set in motion, until the political considerations in Strands 1, 2 and 3 were dealt with on the allegedly parallel track. Endless debate as to whether there was such political progress as would warrant any decommissioning would effectively insure that no decommissioning occurred before or during the Talks Process.

It is, therefore, an imperative for the UK Unionist Party that, at this stage and before any negotiations are commenced in any of the three strands, that the issue of decommissioning is not only addressed but determined in the sense that a set of clear and positive principles are agreed with which all participating parties must comply not only as their passport to the negotiations themselves but as governing their participation in any discussions about the modalities or mechanisms for actual decommissioning.

CONCLUSIONS AND PROPOSALS:

The UK Unionist Party considers that it is the primary objective of both governments to obtain the presence of Sinn Fein within the present Talks. The Party believes that the equivocation of the British Government on the use of clear and explicit terms for the nature and duration of any new cease fire is indicative of a willingness on the part of the Government to accept virtually any cease fire as sufficient to justify Sinn Fein's entry. The current terminology "the unequivocal restoration of the August 1994 cease fire" as the definition of acceptability is worthless. The language used indicates that what is deemed unequivocal is not the cease fire but the restoration. In any event, what is required is not the restoration of an impermanent failed tactical cease fire but a new total cessation of violence of all kinds that is both complete in its nature and permanent in its duration. The current efforts to negotiate some form of cease fire with Sinn Fein/IRA which the Governments can endorse as acceptable for entry to the Talks has done nothing to lessen pro-Union mistrust of the Government's intentions. Its present denials of such involvement do nothing in the light of experience to lessen pro-Union suspicions.

THE UK UNIONIST PARTY'S REQUIREMENTS OR PRINCIPLES
FOR DECOMMISSIONING:

- (1) A declaration by all parties fronting associating with or sharing the political objectives of a paramilitary organisation for themselves and such organisation of a cessation of violence that is complete in that it encompasses violence of any kind against any one and permanent in its duration.
- (2) Any such declaration be accompanied by a handing over of a credible quantity of weapons and explosives as a demonstration of the maker's good faith that the cessation of violence is both complete and permanent.
- (3) A declaration that the relevant party both for itself, the and organisation it is said to front of its public subscription to the Mitchell Six Principles.
- (4) An acceptance by the relevant party that the democratic process of negotiations can in no way be related to or made dependent upon any process of decommissioning and that decommissioning will progress to completion whether or not a political agreement acceptable to that party or its related organisation is achieved.

In addition to the above requirements of a relevant party and in order that pro-Union confidence can be restored in the truly democratic nature of the present Talks both governments will declare:-

- (1) that acceptance of Sinn Fein's entry into the Talks at any stage must be preceded by the declaration of

a complete and permanent cease fire. Since both governments either claimed or assumed that the August 1994 cease fire was both complete and permanent it is difficult to see how there could be any objection on their part to this requirement.

- (2) acceptance of Sinn Fein's entry into the substantive Three Strand negotiations will not take place until both governments have enacted all enabling legislation and passed all necessary regulations for the practical processing of decommissioning.

The UK Unionist Party will submit such further papers on subsidiary aspects of the decommissioning issue as the situation may from time to time render necessary.