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15 December 1994

**EXPLORATORY DIALOGUE AND DECOMMISSIONING OF ARMS**

As the Prime Minister knows, the first meeting of exploratory dialogue with Sinn Fein last week was business-like and constructive with the beginnings of a genuine engagement on some of the real issues, including arms.

In an extended exchange on the arms issue, Mr McGuinness predictably argued that Sinn Fein was unarmed and not directly linked to the IRA. However, after the Government side had pressed him on this, he then went on to probe the Government side's ideas on whether movement on arms was a pre-condition to meeting Ministers, and what thoughts we had on the mechanics of decommissioning arms. The Government side pointed to the close relationship between Sinn Fein and the IRA and offered a short paper on how the mechanics of decommissioning of arms might be approached.

The Government side will accordingly table a short paper on arms designed to draw Sinn Fein into discussion of the mechanics of that issue. In order to achieve this we sought formulations which, while not conceding to Sinn Fein's position, enable them to enter a discussion of modalities without compromising their line that arms are a matter for the IRA. (It is relevant that the IRA ceasefire was called soon after the President of Sinn Fein had presented the

IRA with an "analysis" of the political context.) The paper has been written with that in mind and, for similar reasons, acknowledges the perceived relevance of other matters: Loyalist arms, legally held weapons and security forces measures. It does so, however, in a way which concedes no point of principle.

My Secretary of State believes this is the right approach, given that our first objective is to get Sinn Fein (including of course the members of its delegation with IRA influence) to agree to address the issue.

My Secretary of State believes that, though Sinn Fein initially emphasised their wish for the process to be "transparent", their sensitivity on the arms issue is such that they may be as keen as the Government side to preserve confidentiality. He believes that this is in our interests and, provided there is a real engagement on the issues - perhaps through a working group - we should take care not to put Sinn Fein on the spot publicly.

The paper makes a brief reference to legal considerations. There are some complex issues here, including the basis for an arms amnesty (should we wish to adopt this route) and the possibility of giving an undertaking that weapons handed in would not be subject to forensic testing. My Secretary of State has sought initial advice from the Attorney General on these sensitive issues, and intends to consult colleagues separately when further work has been completed. At present we intend to avoid any detailed discussion with Sinn Fein on this aspect of arms decommissioning.

I am sending a copy of this to the Private Secretaries to other members of NI and to Sir Robin Butler and Paul Lever.

SIGNED

SIMON ROGERS

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MODALITIES OF DECOMMISSIONING ARMS: PAPER BY THE GOVERNMENT SIDE

1. Both sides wish to see the gun removed from politics in Ireland for good. This aim is also shared by the Irish Government.
2. Both sides accept that, in practice, there is a link between the decommissioning of arms and the political process: Sinn Fein believes that arms can and will be decommissioned when the Irish Republican Army accepts an analysis that the political context provides for Sinn Fein to have access to a realistic and meaningful process of inclusive political dialogue; and the Government believes that as a matter both of principle and of political reality substantial progress on decommissioning would have a major bearing on whether and when Sinn Fein could and would be included in such a dialogue.
3. Against that background both sides believe it useful to develop an understanding of the modalities of decommissioning arms.
4. Both sides note the relevance of progress in respect of decommissioning Loyalist arms. Sinn Fein have also pointed to the possible relevance of the holdings, on a legal basis, of weapons by individuals in Northern Ireland. The Government recognises that decommissioning will have implications for decisions and measures taken by the security forces, including decisions on deployment.
5. This paper sets out some headings to promote discussion of the issue.

6. Areas which would need to be considered include:

(i) Possible methods of decommissioning, including:

- Depositing arms for recovery and subsequent destruction.
- Direct transfer of arms to the authorities, north or south, for destruction.
- Rendering arms inoperable prior to handover.

(ii) Verification/Validation:

- Possible role of intermediaries.
- Independent supervision of destruction of arms.

(iii) Practical considerations, including:

- Safety factors.
- Preventing agreed arrangements for decommissioning being exploited by others.

(iv) Legal considerations.

(v) Time-tabling.