

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -  
TUESDAY 1 OCTOBER 1996 (15.12)

Those present:

Independent Chairmen	Government Teams	Parties
Mr Holkeri	British Government	Alliance Party
General de Chastelain	Irish Government	Labour
		Northern Ireland Women's Coalition
		Social Democratic and Labour Party
		Ulster Democratic Party
		Ulster Democratic Unionist Party
		United Kingdom Unionist Party
		Ulster Unionist Party

1. The Chairman (Mr Holkeri) reconvened the meeting and said that the PUP delegation had informed him that they had an important matter to attend to and would return later. Alliance said it was happy to withdraw a remark it made against the DUP at the request of the Chairman. The Chairman then said that the promised proposals were not yet ready for distribution and proposed a brief adjournment, but at the suggestion of the DUP he invited the two Governments to make their submissions in relation to their joint proposals on the agenda for the remainder of the Opening plenary session.

2. The British Government said that the paper circulated on 30 July 1996 still remained its preferred position. It would, nevertheless, like to hear the views of the delegations as to how they saw the priorities, particularly as some 1½ months had elapsed since that time. As there seemed to be general agreement to omit opening statements, it felt that closing statements could be inserted in the appropriate place. It wanted to see agreement

on the comprehensive agenda and that would represent another item or acquisition in the list of achievements at the talks. It might be possible to deal with item 2 - Discussion of Comprehensive Agenda for Negotiations - on the basis of generic headings. Most delegations would see decommissioning at the head of the list.

3. The Irish Government said that the proposed agenda was put together to get a balance into the work of the talks. There was a need to deal with decommissioning and also a need to have a substantive agenda. The Governments' proposed agenda was structured on the Mitchell Report. With regard to suggested item 1 - opening statements - there seemed to be flexibility on this. The structure of the agenda was designed to move forward on decommissioning and to set out a comprehensive agenda.

4. The DUP sought an explanation as to how a change came about over the position in the first proposed agenda where consideration of the International Body's Report came before discussion of the agenda. The Irish Government said that this arose out of discussions in the opening plenary meetings and it seemed that there was a logic in having a pathway forward. There was much discussion by the parties on this point; most seemed to favour discussion of the comprehensive agenda heading up the list. Nothing was blocked from being on that agenda.

5. The DUP wondered if either of the two Governments wanted to respond further on this point. The original proposals by the Governments had decommissioning before the agenda and this accorded with the views of the three Unionist parties. The change in this position was a cause for disagreement where there was none before.

6. The British Government said it was easy to get agreement between one, two or three parties and it hoped that the merits of each party's proposals in the matter of the agenda could be reviewed with a brief adjournment to pull things together. The Chairman said that each delegation now had the opportunity to make an oral submission on its proposals.

7. Alliance said that its view was that an agenda should be agreed which would allow each issue to be addressed satisfactorily. It had no rigid view on that. It just wanted the agenda to be comprehensive. The UKUP said that in order to appreciate the views of the DUP and the UKUP, it was necessary to examine the background as to why decommissioning had such an important part in these discussions. As far back as 1995, the pro-union parties and the two Governments had said that there was no basis for allowing parties connected with paramilitary violence into the negotiations. Those parties said that they would not decommission weapons before, during or after the talks process until a settlement was reached.

8. Accordingly, the two Governments set up the Mitchell Body. The whole purpose of the Mitchell Body and the election process leading to negotiations was to bring the paramilitary parties into the talks process. That much was manifest from the 28 February communiqué. All participating parties had to sign up to the six Mitchell Principles and address the issue of decommissioning so as to define their position in the democratic process. Decommissioning had to come first, before discussion on any comprehensive agenda. It was on this basis that delegations could participate, even in relation to discussions on the opening agenda. That was why the three pro-union parties had put decommissioning as the number one item on the Opening Agenda. Its

purpose was to discern the commitment of all the participants to work constructively towards an agreement on decommissioning and to set up an agreed machinery to achieve it.

9. The UKUP said that the two Governments, the SDLP and the UUP had already discussed this matter. The UUP have rejected the Governments' proposals and the UKUP also rejected them because they did not conceivably form any basis to address decommissioning. That, the UKUP felt, was probably also the attitude of the DUP. The party also said that if a decommissioning process was established to ensure democratic dialogue, then the comprehensive agenda could be discussed. But if the process failed to deal with the decommissioning issue, then the agenda would have to be reviewed.

10. The UUP said it wanted to stick to a debate on the agenda itself. It felt that logic demanded that the most obvious issue to place on the agenda was decommissioning. The party had adopted this approach in the discussions on the subject outside of this process. This meeting had still to hear a rational argument for the change in the Governments' position in relation to the placing of the discussion of the comprehensive agenda ahead of the address on decommissioning. The change in the order was made only 2/3 days after assurances to the contrary by the British Government. The February communiqué clearly envisaged decommissioning being dealt with at the earliest stage. Just because the comprehensive agenda would be the next item to be taken did not mean that issues would not be addressed, but there was a significant difference between decommissioning and the contents of the agenda. A clear interpretation of the communiqué led to no other conclusion. The issue of the comprehensive agenda was highly unlikely to prove difficult to solve; the sensitive and difficult issue was

decommissioning and the political reality was that the problem had to be cracked. This approach accorded with the original proposal by the two Governments and they had not produced any convincing reasons for the change in their position. If decommissioning was moved down the agenda this would send out a message that it was reduced in importance. The party felt that there were only two choices in the matter and the logical and consistent way to deal with it was as it had suggested.

11. The SDLP said that there was no need for there to be a one-to-one relationship between logic and political sensitivity. Their approach was a flexible one. The first item was a discussion of the comprehensive agenda. This subject had already been discussed in bilaterals and would probably not delay the proceedings unduly. Then the very significant decommissioning issue would be taken. Their proposal offered a wide ranging and comprehensive discussion at that stage and then it provided for a return to the adoption of the comprehensive agenda to take account of any items which had arisen from the discussions on decommissioning. This would be followed by the launch into the three strands and the mechanisms for decommissioning. The SDLP thought that this flexible approach might offer a way forward.

12. The DUP said it wanted to deal with the changes which had been made in the two Governments' original proposals. Firstly, however, in relation to the proposed SDLP agenda, it said that it and the proposal by the two Governments were now one and the same. The Governments' original proposal had placed decommissioning as the first item, but they had conformed to the SDLP view and in doing so had rejected the proposals of the three Unionist parties. It may be considered logical by the Irish Government to follow the SDLP approach. However, why should a party commit itself to the

Mitchell Principles if it was not going to address the decommissioning issue. The puerile reason advanced by the British Government showed that no progress would be made until the nettle of decommissioning was grasped. That had to be done now and this was the view of people outside. The Governments had to explain why the order of the items had changed. The DUP said that it would, like the SDLP, be flexible too, once both Governments agreed with them. It wondered what the change meant and why the Governments had gone back on their word. Perhaps it was for the reason outlined by the UKUP. The Governments had to get certain parties into the talks process and provide for guns to be placed on the table in instalments as the talks progressed. This contrasted with the stated comments by the SDLP when it said that there would be no guns on the table, under the table or outside the door. But that was what will be provided for, in effect. The DUP favoured discussion on decommissioning now and proposed the combined Unionist proposals which were in keeping with the views of the people outside. Decommissioning was the most important issue to be settled and there was no way that the agenda would be agreed until that matter was dealt with.

13. The UDP said that its proposed agenda of 31 July was similar to the Governments' original agenda of 25 July. It suggested that the making of opening statements should still be considered by delegations to allow them to outline their positions for people outside the talks. The UDP had no problem with regard to the order in which decommissioning or the comprehensive agenda was discussed. They would pursue the objective of decommissioning with all the participants. But it should not be presumed, however, that there would be agreement on the International Body's proposals. The UDP agenda allowed for other aspects of the matter to be considered.

14. The NIWC agreed with the view about proceeding in a balanced manner and suggested that it was logical to consider all matters which should be included in the comprehensive agenda. Decommissioning was only one of a number of sensitive issues to be considered. It was not possible to achieve decommissioning overnight and it was disingenuous to suggest that immediate decommissioning was possible. Decommissioning had to be placed in the context of overall political progress. The NIWC favoured a discussion on the comprehensive agenda, consideration of the International Body's proposals on decommissioning together with the necessary mechanisms, adoption of the comprehensive agenda with the launch of the three stranded negotiations and establishment of the agreed mechanisms.

15. Labour agreed that getting rid of the guns was a key issue. However Labour continued saying that if the talks process was to start to discuss decommissioning in detail, it was likely that discussions could last for 3 or 4 months and there would be little or no effect or influence brought to bear on the terrorists. The plain fact was that the IRA would not take heed of what the process said on the matter. It was down to the Governments to undertake the technical aspects of decommissioning; getting on with these rather than talking about it was what was required but the Governments appeared unable to do this.

16. The UKUP asked whether in Labour's view, there was a distinction between the Governments being incapable or unable to do it and unwilling to do it. Labour again said that discussion of the issue within the talks process wouldn't have any effect on the terrorists. It had been important for all the participants to agree to sign up to the Mitchell Principles but the most important

message to come from the process was an agreement on the future structures of Government for Northern Ireland. If this was the focus for the process then the Government should get on with decommissioning and do what they were proposing on paper on a separate basis.

17. The DUP said that it had stated on many past occasions that when the peace started and the IRA declared its cease-fire much of its weaponry and explosives were removed from Northern Ireland and placed in the Republic. The Republic's authorities knew where this material was but hadn't done anything about capturing it en masse. The Irish Government strongly refuted this suggestion. There was clear evidence of finds being made and the authorities would continue to search out weapons dumps etc. No such evidence existed that known guns had not been gone after. The British Government fully supported the Irish Governments' comments. The DUP returned to the issue stating that its allegations had been made many times in the House of Commons and the British Government had not rebutted these on the record. The DUP acknowledged that finds had been made but these had only been manufactured for use as a bargaining tool. The Irish Government again strongly reiterated its view that these serious allegations had no basis and could not therefore allow them to stand. The DUP indicated to the Chairman that it would seek out the various statements already referred to and send them to him for his information. The party would not be withdrawing the statements made during the debate.

18. Labour said this exchange bore out what it had said earlier that no common position was likely to be found from a discussion of decommissioning. If the Governments expected to see progress on decommissioning then it was down to them to get on with it. The participants on the other hand must demonstrate to those

outside the process that if Sinn Fein/IRA didn't wish to come into the process all participants were prepared to make progress, act responsibly and agree a comprehensive agenda. This could be done by the participants, not by the IRA.

19. The UUP said it accepted that discussion was needed on the macro issues. But the whole purpose of a discussion on decommissioning was that it established, beyond doubt, that those who took part in it were fully committed to peaceful, democratic means. If one was to follow the two Governments' view of establishing a sub committee on decommissioning, agreement might never be reached. The UUP said that decommissioning would be a voluntary action, but the purpose of its proposal is to provide for the potential to establish beyond a shadow of a doubt a commitment to conclusively peaceful and democratic methods. The IRA were on public record as stating that no decommissioning would take place until a settlement was reached. In other words they wanted to have their cake and eat it and this was not fair to everyone else.

20. Labour said the question is whether we can reach agreement. The public 'outside had to see substantive discussions taking place on the agenda. The process had agreed that decommissioning should be pursued, it was therefore up to the Government to follow up on the technical details. This couldn't be done in any event by discussing the subject in the talks process for few knew anything about the technical details. It was therefore more appropriate to talk about the real issues.

21. The DUP said that in relation to the agenda, the subject matter seemed to be generally agreed but what needed agreement was the sequencing of the issues. It stated that the points made by

NIWC in favour of decommissioning being placed after the discussion and agreement of the comprehensive agenda didn't hold any water. Decommissioning was not part of the three strands yet the NIWC appeared to be saying otherwise. The NIWC restated its position from earlier, saying that it had highlighted decommissioning as one of a number of sensitive issues but it should not be held up as a hostage to fortune. The DUP continued saying that the present talks process was unique as some participants in it had connections with paramilitary organisations. In reaching this position, the two Governments had decided that certain criteria had to be met before entry into the negotiations. The Downing Street Declaration, which the DUP does not greatly support, and the February 28 Communique established these criteria. Both Prime Ministers pledged their support for the view that decommissioning should be placed in front of the comprehensive agenda. Now the participants were being told that both Prime Ministers had been speaking illogically because the present agenda changed these two items around.

22. The DUP stated that the Prime Ministers had got it right in the first instance. The British and Irish Government produced a draft agenda in late July which focused on the International-Body's report and then the comprehensive agenda. This position was also in line with the main unionist parties and hence had acquired considerable agreement. The SDLP was the only main party out of step. Now the Government was moving towards the party that was then out of step. Was this logical? As to the comprehensive agenda, the DUP stated that it had already provided proposals and like the UUP, believed that agreement could be achieved on this.

23. The Irish Government agreed with the DUP that the sequencing of issues was the main area of detail. It then asked the DUP whether it accepted that point that if sequencing was to be followed, where was the assurance from it that serious consideration would be given to the substantive discussion on the comprehensive agenda as well as on decommissioning. The DUP recalled its earlier remarks about putting forward proposals on the comprehensive agenda. It didn't believe they were much different from the Governments'. The assurance that was being sought by the Irish Government was best given in the Rules of Procedure. The Chairman's role was to ensure that anything could be raised as the DUP wanted to address issues such as consent and the territorial claim. The UUP said it didn't submit proposals on an agenda at the end of July. If, however, the Irish Government sought an assurance that the comprehensive agenda would be fully and seriously addressed, then agreement with the use of generic headings for the agenda would provide such an assurance.

24. The UKUP suggested that the SDLP was the source for the current situation arising. It therefore inquired from the SDLP why it believed decommissioning could not be discussed now. The SDLP stated that the process wasn't just about decommissioning on its own. The party wanted to see the guns in Irish politics gone forever and it had already taken plenty of risks in trying to achieve this objective. The guns and the violence were, however, symptoms of a wider disease when for too long, no agreement had been reached on the political structures which could cure the problem. The SDLP fully accepted the position of the Mitchell Principles but the real question was determining whether the IRA was serious if it said it would stop violence. The party's past

experience put it in a position of knowing what it was talking about on this issue. It was therefore, in the SDLP's view, not a party political, points scoring issue but one which the participants needed to be serious about, increasing stability and seeking to agree structures to solve the political problems first. Then, when this was achieved, and the men of violence were still present, they could be dealt with within the structures established by broad agreement.

25. The British Government in seeking to move the debate on proposed that, as a mean of breaking the apparent logjam, it might be helpful to have an agenda which permitted an initial circulation of proposals from all participants on the comprehensive agenda. Some work had been done on this already but this could then be followed by a full discussion on decommissioning. The British Government proposed that a short adjournment might be useful to consider this proposal. The Chairman indicated that he still had two speakers on his list. Following further questions of clarification from the SDLP and the DUP, the British Government agreed that it should put its proposal in writing and circulate it. The Chairman stated that he wished to return to the original discussion as three speakers were now on his list.

26. The DUP stated that the matter it wanted to raise was connected with the proposed adjournment. The party asked whether a discussion on decommissioning incorporated "agreement" as was shown with regard to the comprehensive agenda. The British Government asked the DUP to await the arrival of the typed proposal. Following further points of clarification as to the

contents of the British Government's proposal from both the SDLP and UKUP, the Chairman indicated that further discussion might best be left until the proposal had been circulated. The Chairman then adjourned the session for 30 minutes at 16.46.

Independent Chairmen Notetakers  
2 October 1996

OIC/PS16