

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
MONDAY 21 OCTOBER 1996 (14.37)

Those present:

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

1. The Chairman called the meeting to order at 14.37 and invited the DUP to resume its submission on decommissioning (agenda item 2).

2. The DUP referred to its earlier reference to the IRA statement of 18 January, 1995 about the arms issue being crucial. The two Governments were held up as agreeing with that view. It had to be remembered, however, that the former President of South Africa, Mr de Clerc, during his visit to Dublin, when asked if he would do anything differently, said that "Yes. We should have dealt with the arms problem." The proof of that was that killings were still going on in the South Africa today, the DUP maintained.

3. In January, 1995, the Vice President of Sinn Fein said that the party had grave concerns about the Governments' demand for decommissioning. The Prime Minister had also stated that huge progress had to be made on decommissioning and he challenged the

IRA to destroy its weapons and explosives in order to allow its political wing to enter into the political talks process on the future of Northern Ireland. Now, the DUP said, it seemed that they would enter the process on the basis of a cease-fire similar to the previous one. This was a farce. The UUP at one stage had informed the DUP that its gut feeling was that the previous IRA cease-fire was permanent; others said it would not be broken. The SDLP had assured the DUP that it was genuine. All witnessed the sincerity and integrity of Sinn Fein/IRA. The DUP was well aware that they were not serious, because IRA newspapers said that the cease-fire was only a strategy. Yet the Government became involved in frantic negotiations to complete the Framework Document to take the heat off the decommissioning issue. The Framework Document, the DUP contended, was a blueprint for a sell-out to IRA demands for a united Ireland. It was not possible even to suggest that Northern Ireland should remain as part of the UK. The DUP was prepared to enter into a debate with the British Government on this very issue. The Prime Minister said in January 1995 that the important thing was that Sinn Fein had to honour what they had been implying, which was constructive discussions leading to a decommissioning of arms. That's what the Prime Minister wanted from Sinn Fein at the time. In essence, it meant that before coming to talks, they had to destroy weapons and there had to be constructive discussions for that purpose.

4. In February, Sinn Fein turned the tables on the Government by demanding to discuss the question of demilitarisation including the future of the RUC and the British Army's role in Northern Ireland. This was a new angle. The DUP contended that at that stage, the Government should have halted the preliminary talks process. The then Foreign Secretary said that there was no question of negotiating with Sinn Fein on troop deployment. It

said that the purpose of decommissioning was to tackle the issue of illegal arms. The Government, however, was silent on the demilitarisation issue because it was prepared to look at the questions of policing through the medium of a fundamental review and the question of troop withdrawal from Northern Ireland.

5. In March 1995, the DUP had an article in the 'News Letter' to the effect that the Government had gone soft on the IRA issue; that it was already in talks with Sinn Fein to discuss decommissioning. The Government said that three conditions were under discussion and this had to mean that the original stand in the matter had been altered. The question rather was how to decommission, not the insistence upon it.

6. The DUP said that the Government then published a little booklet on the concessions which had been made to the IRA in the year since the cease-fire. This included changes in relation to army practices, in particular joint army/RUC patrolling which had dropped by 75%, as compared with the pre-cess-fire situation. Furthermore, sangars were removed and checkpoints were scaled down. Yet, not one gun was surrendered by the IRA in the period. In 1995, a strain developed in Anglo-Irish relations because of Sinn Fein's meeting with President Clinton's adviser, Mr Lake. He told Sinn Fein that there had to be serious progress on arms decommissioning. But what progress was made in response? None! What followed was a retrogression by both Governments and the American Government, giving up their demands for decommissioning. Sinn Fein said it wanted the gun taken out of Irish politics as Mr Costello had said before, but the guns were not being removed.

7. At this stage, the DUP said that Mr Bruton called on Sinn Fein to go beyond its general statements and come up with concrete

proposals. There were none. On the contrary, Sinn Fein said it would never surrender arms. The British Government called for substantial progress to be made and Sinn Fein replied bluntly that "they are not going to get IRA weapons, it's as simple as that." Yet the British Government still called for substantial progress and it came up with the Washington 3 condition. This was said to represent the bottom line but where is it now, the DUP wondered, only buried in a Sadduccee's grave without hope of resurrection. The UKUP said that when the particular issue was raised with the British Government about the need to insist on the Washington 3 test, it said that it had to be flexible. The DUP continued and said that the basic line for the Government was that it wanted a commitment to a credible process of decommissioning. But how could that happen if Sinn Fein said it won't decommission its weapons? At republican Easter celebrations the IRA stated that it was still strong and confident that no weapons would be handed over. In May, 1995, Sinn Fein hardened the line and said the suggestion was palpable nonsense, but wasn't it so when the Prime Minister requested destruction of weapons back in December, 1994? In effect the IRA spit in the face of the British Government by not handing over its weapons and explosives.

8. The DUP then referred to the recent statement by the silly woman of New Labour on Northern Ireland about two murderers being the unsung heroes of the peace process. It seemed strange to the DUP that people had to accept comments like that, but a breaking point had to come at some stage. The DUP pointed to the evidence of protests by the silent majority in Belgium over the weekend over the child-abuse cases. It said that there was a silent majority in Northern Ireland also and it mentioned the unionist protests about the Anglo-Irish Agreement, an agreement which was responsible for setting Northern Ireland on a road with no

milestones, only tombstones. The DUP referred to President Clinton's remarks at the Washington Conference when he said that the paramilitaries on both sides had to get rid of their bombs and guns for good. However, he was not saying that now. The Prime Minister said that all-party talks were impossible until moves were made on decommissioning. Where were those moves? What about the secret meetings with Sinn Fein? The DUP said that the outcome of the talks debate was to see that no moves were made on decommissioning - apart from the Report of the mythical committee at Christmas envisaged in the Government's proposals.

9. In May, 1995, the DUP said that the British Government ruled out a meeting with Sinn Fein until weapons were given up. The DUP said it was glad to see the Tanaiste, Mr Spring, present and referred to his statement in December 1993 when he said "We are talking about the handing up of arms and are insisting that it would not be simply a temporary cessation of violence to see what the political process offers." On 1 June, 1994, he said that there had to be a verification of arms with evidence of that fact. The DUP wondered where such evidence was. At the Washington Conference, the British Government had outlined its considered position in relation to decommissioning -

- (a) there had to be a willingness in principle to disarm
- (b) there had to be an understanding on how to achieve decommissioning
- c) there had to be actual decommissioning of some weapons.

10. The DUP said that (a) and (b) were not realisable. As to (c), the Prime Minister had explained what it meant. It meant

that before Sinn Finn/IRA got into the talks, they had to have given up a percentage of arms as a token of good faith. Then, according to the Prime Minister, there would be a system of payment by instalments, and if that failed, Sinn Fein/IRA would be expelled from the talks. That represented a weakening of the earlier position as only some arms were to be handed over.

11. The DUP said that in July, 1995, the SDLP had said that "The IRA will get rid of its arms as long as they are included in political talks." That was a falsehood according to the DUP, because the IRA will refuse to act accordingly. Their intention is to see what the talks process delivered first and even then they would not give up weapons. Then later in July, 1995, the British Government tried to recover some ground on the issue when it said that it would not move on this condition. This was because it knew that other parties would not be present at the talks under those circumstances. The Government hoped that the IRA would decommission soon but what period of time was envisaged? The IRA are still around and still using weapons and explosives. The Chief Constable had said that he believed that the IRA would engage in a most serious campaign. The DUP said that the security situation in Northern Ireland should be examined. Road blocks night and day are again commonplace. It seemed that an attack on the RUC or industry in Northern Ireland or the mainland was imminent. Or was it simply the case that the security forces had no specific information at all? That was a serious situation. It seemed that arms would be used to strike at the heart of Northern Ireland or the mainland like Canary Wharf, Manchester or Lisburn. This meant that the IRA were intent on the most bloody business simply because they knew that they would obtain concessions as a result of it.

12. The DUP then turned to the issue of destruction of weapons and the proposals (a) not to have them examined and (b) to exclude any evidence in court proceedings. The DUP had met with the British Government on these matters. It was amazed to learn that the legislative proposals, insofar as they were applicable to the mainland, were different from those that would apply in Northern Ireland. In the case of Northern Ireland, a complete amnesty was proposed. In effect, two laws would be in operation, one for the rest of the UK and one for Northern Ireland. That approach divided Northern Ireland from the rest of the UK and it was an attack on the position of Northern Ireland as an integral part of the UK. The place that had suffered the most would allow the perpetrators to get away completely. The situation was that people were being praised for not killing others but the victims of crime seemed to be forgotten. The DUP wondered at the stance of the UUP on the matter which seemed to be more concerned about the verification of destruction of weapons than the fact that there was to be no testing of such weapons and the evidential exclusion.

13. The DUP asked what the likely parliamentary timetable for the legislation would be. The party had received a letter from the British Government saying that the legislation was just in prospect! But when was it going to be brought before the House of Commons? The DUP said that recently the British Government had quickly moved on the closure of the five local education and library Boards. However, it might have been better employed telling the participants when this legislation was going to go through. Surely this was more important than sorting out education and library boards and even more so now that the RUC Chief Constable had issued certain comments about the continuing terrorist threat only that day.

14. The DUP continued by asking the British Government several questions:- What consideration had been given, thus far, to the construction and membership of the arms Commission? Would the membership contain both Irish and British Government members or was it going to be an International Body with no representatives from the UK Government or would it have a representative from the Irish Government? Had the option of setting up such a Commission been finally decided? What were the terms and conditions of such a Commission? When would these be agreed and put in place? What were the powers of this Commission going to be? Would these be independent of the two Governments? Would the powers be passive or have an "enter and search" facility in them? What work had been done prior to all of this regarding discussions with loyalist paramilitary groups? Had they agreed with a verification system? What were the Government's thoughts on the timetable for actual decommissioning and, overall, what was the Government's considered opinion in all of these questions?

15. The DUP said that the fact that Sinn Fein had refused to give up arms resulted in the British Government now proposing this arms Commission. Such an issue had been discussed at Stormont Castle between the two Governments as a hook to get Sinn Fein off the arms issue. The DUP had been told at the time when it had raised the question with the British Government that its view was incorrect. But the DUP knew it was right about this. The party said that the UUP had advocated this type of approach for quite some time. The difficulty here was that, in the DUP's view, when one internationalised anything, one always got trouble. The position in Israel was a good example of this. The more people there were around a conference table on any of these world problems, the worse it got in arriving at a solution which the

local people found satisfactory. Internationalising such problems simply destroyed any acceptance of a solution by the people of that country. The Belgium Congo was another example of this situation.

16. The DUP said that on 26 July 1995, Sinn Fein had rejected the idea of an arms Body. However it didn't matter to the DUP whether Sinn Fein had rejected it or not. The DUP was the party which had to decide what was best for the people of the Province. On 27 July 1995, Sinn Fein issued a statement referring to the fact that as regards decommissioning it "had no room to manoeuvre". On 28 July 1995, the UUP then issued a statement to the effect that there was a "betrayal alert" because the British Government was going to drop decommissioning. The DUP said that on that evening, the British Government had had a two hour meeting with Sinn Fein. The UUP had been right to issue a statement then, but the DUP didn't believe the UUP looked at events in that light now. The UUP had now come to the idea of the half-way house; get Sinn Fein into the talks and then get down to decommissioning. By the time October arrived, the British Government was saying that it was considering something else other than decommissioning. The Government's own backbenchers and unionists strongly urged it to draw back from this statement but then came the view that the International Body might find some other means of guaranteeing confidence. The DUP asked whether the International Body's report actually did do this. Its principles were very strong, but the report was very weak in practical terms. The DUP said that before going on to discuss the International Body's Report it wished to highlight other statements made by the British Government.

17. The DUP said that the British Government had issued a statement to the effect that its idea of talking to Sinn Fein

before a cease-fire "was one which would turn the stomachs of all peaceful people in Northern Ireland". Furthermore it had also stated that "If you (Sinn Fein/IRA) bring a bomb with you, don't expect us (the British Government) to sit at the talks and accept you as constitutional politicians". The DUP said, however, that the British Government expected it to sit down with these people. How could this be when these people were not constitutional politicians because they would never surrender their weapons? Then the British Government issued another statement saying that there would be "substantial progress" on decommissioning. The British Prime Minister, speaking in the House of Commons, then said that "a start to decommissioning must be made before paramilitaries could enter the talks".

18. The DUP said all these statements were forgotten now. To get Sinn Fein/IRA at the talks all that had to be done was for them to go back and declare another cease-fire. But, said the DUP, the first cease-fire was a farce, so it was unsure how the Government was going to operate this particular line of argument a second time. The DUP quoted a letter from the British Government to the Northern Ireland parties in which it stated that Sinn Fein could not enter negotiations until substantial progress had been made on decommissioning. The letter had also spelt out the "Washington 3 formula". The DUP said that, while all this was out in the open, one then looked at the International Body's Report. When the report was issued, the British Government said that it would accept some aspects of it. But the SDLP, the US administration and the Irish Government howled at this line and put pressure on the British Government to come away from its original view. The International Body was then confronted by two positions; either decommission first before entering talks or talk first and then decommission. The International Body opted for a compromise;

parallel decommissioning with talks, and that was what the agenda, in the DUP's view, now represented at item four. This item highlighted the launch of the 3 stranded negotiations with the fourth strand, at the Irish Government's behest, also included.

19. The DUP said that the International Body's report had some weaknesses. It had urged that only some decommissioning should take place during the negotiations. Before the report had been produced, however, the view was that all decommissioning should take place. The DUP then said that it wished to look at this whole issue of partial decommissioning referred to in the report if Sinn Fein/IRA was at the table. Such a circumstance clearly presented a situation whereby the quantity of arms/weapons decommissioned would be unspecified. This allowed Sinn Fein/IRA to use those weapons which had not been handed in. However, great emphasis had been placed on a commitment to the Mitchell Principles. These were strong but unfortunately the report's application of these principles in a practical manner was not as strong. If one was to look at paragraph (a) the interpretation of this principle was not what it first seemed because people could always have an option of returning to violence. In terms of the second principle, Sinn Fein would be permitted to hold on to some weapons. Was this principle therefore a binding commitment or one which simply fluctuated between yes or no until some sort of mutual agreement between each side was put into place? The DUP then quoted paragraph 34 of the report and asked how a peace process could possibly move forward if armed terrorists could retain some of their weaponry. In terms of the third and fourth principles, the DUP said that if Sinn Fein was prepared to accept these why were guns still under the floorboards? In recent times concerted attempts had been made to provoke the loyalist community but Sinn Fein/IRA couldn't have it both ways. It either had to be

a total commitment to all these principles or none at all. Similarly with the fifth principle, if this was accepted then holding on to arms was a complete and utter contradiction. The sixth principle also seemed to be thrown into cold water with daily news reports of attacks occurring all over the Province. These were the principles of the report. But the recommendations, in the DUP's view, were different for they simply let the paramilitaries off the hook on decommissioning.

20. The DUP said it looked as if both Governments wanted to get Sinn Fein to the table without any decommissioning. The draft legislation proposed on decommissioning was different in Northern Ireland to that being proposed for the remainder of the UK. The DUP said that the surrender of any weapons would be handled by an independent Commission which would, in turn, destroy them and thereby remove any forensic evidence which might be admissible in court. There was, in fact, an undertaking in the legislation that no court of law would hear such evidence. This amounted to a complete amnesty in order for the Government to get Sinn Fein into the talks. Of course the British Government didn't agree with the DUP's interpretation, but the mainland legislation was different because any such evidence gained from the handing over of weapons, could indeed be used as evidence in a court of law in that part of the UK. The DUP said that this represented a fatal blow to the union. The legislation for Northern Ireland had been drawn up in cahoots with the Irish Government. It was a response to the pan-nationalist agenda, part of which was to get Sinn Fein into talks. The DUP emphasised that there could be no talks until all weapons were dealt with and no confidence could be achieved until something was done to bring this about.

21. The UKUP asked for an adjournment at this point, indicating its belief that the DUP had still got some distance to go in its address. The UKUP said it had also prepared for circulation a couple of copies of the UUP "talks bulletin" regarding the earlier issue of a possible breach of the rules of confidentiality. The DUP supported the UKUP's call for an adjournment. The UUP responded to the UKUP's comments re confidentiality. It stated that the circulated bulletins didn't contain any issues of confidentiality because none dealt with any plenary matters. The party said its bulletins did try to analyse what its position and attitude was on certain issues. However if the process wished to waste time on this matter as opposed to getting on with the decommissioning debate, that was up to it. The UUP believed the UKUP issue to be a waste of time. Following a brief intervention from the PUP, the UKUP said that it had no problem with parties wishing to inform their members. But these bulletins actually explained and analysed the positions of other parties and this was clearly a breach of confidentiality.

22. The Chairman reminded participants that an adjournment had been sought by the UKUP. The SDLP said it would welcome a copy of the UUP bulletins if only to satisfy its curiosity. The Chairman, on that note, adjourned the meeting at 16.01, asking participants to be ready to start again at 16.30.

Independent Chairmen Notetakers
25 October 1996

OIC/PS31