

CONFIDENTIAL

FROM: Independent Chairmen Notetakers
13 June 1996

SUMMARY RECORD OF INTRODUCTORY INFORMAL DISCUSSIONS ON PROCEDURAL
GUIDELINES AND AGENDA FOR PLENARY SESSION - WEDNESDAY 12 JUNE 1996
(11.45)

Those present:-

<u>Independent Chairmen</u>	<u>Government Teams</u>	<u>Parties</u>
Senator Mitchell	British Government	Alliance Party
General de Chastelain	Irish Government	Labour Party
Mr Holkeri		Northern Ireland Women's Coalition Party
		Progressive Unionist Party
		Social Democratic and Labour Party
		Ulster Democratic Party
		Ulster Unionist Party

1. The Chairman opened the proceedings by welcoming everyone to the informal discussion. Mr McMichael sought clarification as to when the appropriate opportunity might occur to allow the absent parties to affirm their commitment to the Mitchell Principles in the appropriate manner. Mr McMichael continued, concerned with the precedent which might be set when members of the delegations belonging to the absent parties would be meeting and talking to others from parties who had committed themselves to the six Principles. The Chairman indicated, on a general point, that this meeting was not a formal plenary session but rather an introductory discussion, focusing on the potential mechanisms required to establish procedural guidelines for the handling of business.

CONFIDENTIAL

2. The Chairman then asked for the views of others on Mr McMichael's point. Before this occurred Mr McMichael stated that he believed now was an appropriate time for both parties to be asked to subscribe to the Mitchell Principles before moving on to future business. Mr Trimble interjected by saying that he believed some contact was presently ongoing with those parties and asked the Chairman for an update on this. The Chairman commented that it was his understanding that there had already been some discussions prior to this meeting being convened which were focusing on a mechanism to bring both parties in. He had personally spoken to a member of the UKUP and had sought a commitment from them. Although he had not received a response at this time he expected that this would be forthcoming soon after further consultation.

3. Mr McMichael offered the view that it was still appropriate to ask how the other delegates felt about his original point. Mr Curran commented that the important issue was confidentiality. All matters under discussion should, in his view, be regarded as confidential and he therefore believed that those who had signed up to the Mitchell Principles should at the very least be afforded the opportunity of confidentiality. Mr Hume supported Mr McMichael's point of creating precedents between parties. Ms McWilliams also voiced some concerns over the situation of party delegates and other members in the two absent delegations talking to their counterparts who had affirmed commitment to the Principles. Mr McBride stated that his party was not in a hurry to confront the matter as he believed other parties who had yet to commit to the Principles should become involved in the process. He was therefore happy to defer this issue to a later date.

4. At 11.53 Dr Paisley and Mr Robinson entered the Conference Room. The Chairman welcomed both gentlemen and invited them to

join in the proceedings. He outlined that as a first step and in common with the other parties earlier in the day he would ask for Dr Paisley, on behalf of his party, to affirm its commitment to the Mitchell Principles. The Chairman then read out the Mitchell Principles. Dr Paisley commented that the entire proceedings were a complete charade with people inside the conference committing themselves to principles and apparently abandoning others outside. He continued by saying that his Deputy had made an unequivocal commitment to the Mitchell Principles earlier in the year at Westminster. However, it seemed that whilst people were asking the UDUP to commit themselves to the Principles, he also wanted to see the Irish Government accepting the principle that the constitutional position of Northern Ireland could only be determined by the people living within that entity. In concluding Dr Paisley formally accepted the six Principles without reservation. The Chairman stated he was happy to accept the DUP's statement. He added that, in line with others earlier, he would regard Dr Paisley's additional comments as being personal. At 11.57, Dr Paisley and Mr Robinson left the Conference Room. The Chairman commented that the DUP's commitment to the Principles now only left the UKUP to do so. He felt that this issue could be resolved shortly and asked for a brief adjournment asking all those delegates present to remain in the Conference Room, subject to the call of the Chair.

5. Some 30 minutes later, the Chairman asked the meeting to come to order and thanked them for their patience. He stated that he now wanted to proceed with the intended subject matter (para 5 of the "a possible approach to resolving procedural guidelines" paper.) He noted that there was no representative of the UKUP present at this time but he still hoped to resolve this issue shortly. In these circumstances and given the fact that

Mr McMichael's concerns no longer existed, it was now time to move on. The Chairman re-emphasised points made earlier in the morning that the delegations did not have much time available to discuss and consider those matters referred to in both paras 2 and 5 of the document. While it appeared that there was a calendar week available, others had duties at Westminster on Thursday and there was a Forum meeting scheduled for Friday. The Chairman reflected that this in reality only left the coming Monday and Tuesday to reach agreement on these issues.

6. In light of this the Chairman offered the following as a possible way forward:-

- two nominees from each party should be brought together to discuss procedural rules and guidelines;
- nominees should have an authoritative position within their party with an ability to say yes or no when appropriate;
- no single set of rules was currently on the table; procedural guidelines had been produced by both Governments and a set of procedural rules from the Strand Two negotiations in 1992 were also considered helpful;
- each party should provide a written submission by 17.00 hours on Friday (14 June) as to their proposals for procedural rules;
- if it is reasonable and the parties agree, each view should be circulated to the other parties;

- the discussions would then reconvene at 10.00 on Monday 17 June in order that further consideration and discussion could culminate in a report to the Plenary session at noon on Wednesday 19 June.

7. Mr Mallon asked for clarification of the "rules" which the Chairman had mentioned. The Chairman stated that he had been referring simply to two sets of rules with which he had some familiarity. Mr Mallon asked whether the rules of 1992 had not already been incorporated into the two Governments' proposals dated 6 June 1996. The Chairman believed that there were some elements of commonality but that differences also existed. Mr Empey stated that his own party had proposed a set of rules as an alternative to the 6 June 1996 paper and sought confirmation as to whether other proposals could still be introduced at this stage.

8. The Minister of State (Mr Ancram) offered to make copies of the 1992 rules available to delegates. The Chairman welcomed this. Mr Donaldson remarked that paras 2 and 5 of the document also referred to the agenda for the Opening Plenary Session, and sought clarification as to whether parties should be including proposals for this in their papers. The Chairman indicated that this was his intention.

9. Mr Mallon also requested clarification in relation to the agenda mentioned in paras 2 and 5. Did this mean the opening agenda circulated early in the morning in the "possible approach to resolving procedural difficulties" paper or the substantive agenda. The Chairman said that the reference was to the agenda for the Opening Plenary Session. He then enquired as to how best to progress the discussions. The Minister of State (Mr Ancram) suggested that the meeting could be in a reduced format not

necessarily comprising full delegations. The Chairman stated that he thought two members per delegation might be sufficient.

10. Mr Close enquired if it was the intention to circulate the papers over the weekend. The Chairman said no. They would be available on Monday morning as it would neither be feasible or practical to have them circulated to parties over the weekend. Mr Neeson suggested that two people per delegation would be manageable. The Chairman agreed but again stressed that such persons should have the authority to make decisions.

11. Mr Mallon referred to the potential logistical problems which might occur on Monday morning. Some parties (both Governments) had already prepared papers and there would be those who might be supportive of the joint government approach. The discussions could, however, also centre on other proposals and it would be very helpful for the parties to have those proposals in advance, so that further consideration could occur, if required, prior to Monday's meeting. The Chairman said this was a good idea in principle and asked for suggestions as to how to achieve it in practice. Mr Ervine said that his party would have logistical difficulties over the weekend and suggested that each party pick up whatever papers were to hand on Saturday. The Chairman said that was precisely what he was going to suggest. Mr Ervine responded warmly by saying this was the sign of a good Chairman!

12. The Minister for Justice (Ms Owen) said that the two Governments' proposals had been arrived at through painful and thorough discussion. These could therefore be regarded as representing the Irish Government's position, in terms of representing its best guidance in the matter. The parties of course already had these. The Chairman then suggested that the

CONFIDENTIAL

party submissions should be sent in by 15.00 on Friday, copied and packaged in such a way as to enable each party to have sight of all other proposals. Such a package could then be collected by each party before 17.00 on that day

13. Mr Donaldson commented that his understanding of the discussion thus far was that each party would have the right and be free to argue its own viewpoint. No set of proposals should carry more weight than others. The Chairman again emphasised that there was no single document before the meeting as a beginning point from which to work. The parties can support another party's paper if they so wish. The Chairman restated the importance of the parties nominating two persons to represent them who would be available for discussions on Monday and Tuesday with the authority to act on their party's behalf. The requirement was now confirmed that each party should submit their views in writing on paras 2 and 5 by Friday at 15.00; then copied and packaged for collection by 17.00 that day. His intention was that this smaller grouping would meet in a smaller room, if available, promptly at 10.00 on Monday morning. He encouraged each delegation to be prepared to spend a lot of time on these discussions to make progress.

14. Mr Ervine said that they, being a smaller party, (as might be the case with other smaller parties), could have a difficulty in producing two representatives while still wanting to retain sufficient technical expertise. He suggested instead that three nominations would allow for more flexibility in this regard and any two persons from the three nominated could attend the meetings. This was supported by Mr Mallon who expressed sympathy for the smaller parties in this situation. The Chairman then said that he was attempting to obtain a commitment to the Principles in para 20 of the International Body's report from the UKUP and proposed a

CONFIDENTIAL

short adjournment at 12.55. At 13.05 Mr McCartney and Mr Wilson entered the Conference Room. The Chairman then put to them the six principles on democracy and non-violence in sequence, asking whether they would affirm their total and absolute commitment to them.

15. Mr McCartney said that he had no difficulty whatsoever with them. They had informed his personal and political life. He also requested that as a further fundamental principle, the majority should have the right to determine the constitutional position of Northern Ireland as their state. This, he said, had already been accepted by the SDLP and the Forum on Peace and Reconciliation in Dublin. Mr McCartney said he accepted the necessity and the fundamental requirement to subscribe to the Principles because there were others who would take advantage of a breach of technical rules, but it should be noted that some parties, who also subscribed to those principles, were involved in violence and murder.

16. The Chairman thanked Mr McCartney for his presence and co-operation and said that as was the case with some other parties Mr McCartney had made additional comments which he regarded as personal. He proceeded to inform Mr McCartney of the administrative arrangements for submission of proposals as already discussed and agreed. Mr McCartney suggested that as he had to leave the meeting (he was present at very short notice) he would leave this matter of detail to his observers or aides. At that point General de Chastelain drew the Chairman's attention to the fact that acceptance of these principles by Mr McCartney had been a personal one. The Chairman then asked Mr McCartney did he also accept them on behalf of his party. Mr McCartney said yes, totally

and unreservedly. At that stage both he and Mr Wilson left the meeting.

17. The Chairman then concluded the meeting at 13.10 and said that the documents should be delivered to and be collected from Room B5.7, Castle Buildings.

[Signed]

Independent Chairmen Notetakers
13 June 1996

OIC/2