

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION - what the
TUESDAY 1 OCTOBER 1996 (17.25)

Those present: ing the same rights over Northern Ireland as the

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 reconvened the meeting at 17.25 indicating that he had three speakers on his list. He then asked the UKUP to comment. The UKUP referred to remarks made earlier by the SDLP and stated that the overall problem was not about whether Sinn Fein/IRA would decommission or not; that was a matter for them. What the process needed to focus on was deciding the terms under which such groups could be admitted to the talks.

2. In further reference to the SDLP's remarks, the UKUP stated that the question of Sinn Fein/IRA decommissioning one day and recommissioning the next was not an issue for the political process. It might well be the case that the British Government had given up on enforcing the rule of law against those groups and that a policy of pure appeasement was in operation. The British Government's actions could also be interpreted as accepting or acknowledging that some price had to be paid for Sinn Fein gaining

access to the process. Irrespective, however, of what the political agenda might be, be it parity of esteem with the Irish Government seeking the same rights over Northern Ireland as the British Government, the potential for threats of violence hanging over a democratic process could not be tolerated. The UKUP said the key issue was whether ground rules should be established as to whether such people should be involved in a democratic process focusing on the future of Northern Ireland. The Northern Ireland electorate was sick of one-way processes, where it appeared that the only policy of the British Government was to find the lowest denominator, acceptable to the terrorists, which then stopped the bomb and the bullet.

3. The UKUP stated that when the talks process started 95% of the law abiding electorate were facing 5% of the men of violence. Now the Province was in a sectarian abyss with boycotts, drugs, punishment beatings and terrorists on the streets giving rise to the fact that 55% of the population were at the throats of the other 45%. At the end of the day, the UKUP stated that if the peace process was to continue, then it couldn't do so while terrorists retained their weapons. The DUP reminded everyone that decommissioning was a very serious matter. It regretted that the Governments had not applied their minds to the issue, but rather dragged their feet on it. The British Government had also been slow to produce legislation to give effect to decommissioning. None of this to date would put the guns away; it was just a list of excuses and with little apparent will to provide the proper framework in which the guns could be removed.

4. The DUP recalled statements made in the past that guns were never given up in previous Irish conflicts; they just simply held onto them. The DUP stated that the form of words at item 2 would permit anyone to

disappeared or went away. Irish history had, however, produced examples of guns being surrendered so these other statements were simply a myth. The DUP added that the earlier view of UKUP. The decommissioning occurring on a Monday and recommissioning for the happening the next day was an example of the process not applying itself to the real issue. Democracy had to prevail if the future of Northern Ireland was to be resolved and this was why the issue of decommissioning had to be kept at the top of the agenda.

5. The UUP stated that it thought the previous adjournment was to allow participants to consider the British Governments' outlined proposals. However a new revised agenda had been circulated said whereas the party believed that the British Government was about to circulate proposals and have, if necessary, a discussion on these. The UUP believed it hadn't got what it had been promised prior to the adjournment. The DUP supported the UUP view. The Chairman indicated that the discussion which bridged the adjournment was now concluded. He referred to the revised agenda now circulated and invited the British Government to comment on it. (Copy attached at Annex 1).

6. The British Government said it was a little surprised by the UUP's comments. There were only a couple of minor changes the incorporating what had been mentioned verbally prior to the adjournment. The circulated document was not therefore, in the British Government's view, a proposal for the remainder of the Opening Plenary session that different in any material way from that advanced verbally before the brief adjournment. The UKUP asked the British Government whether the present formulation, which used the word "address", encompassed points (a) (b) and (c) of the joint unionist proposal. The British Government indicated its belief that the form of words at item 2 would permit anyone to

raise anything they wanted in the broad context of decommissioning. This formulation was a genuine attempt to break the logjam which had been referred to earlier by the UKUP. The British Government then proceeded to explain the rationale for the circulation of proposals on the comprehensive agenda, thereby allowing time for participants to further consider these (while addressing the International Body's report) and only after this was concluded, move to a discussion and agreement of that comprehensive agenda. The British Government indicated that, in addressing the International Body's report, this would allow a comprehensive discussion to take place within the terms outlined in the 28 February joint communiqué. The British Government said that it hoped this could be a way through the present logjam rather than create a further one.

7. The DUP asked a similar question to that of the UKUP some moments earlier. The British Government replied that item 2 allowed the joint unionist proposals (a), (b) and (c) to be taken at this point. The DUP asked the British Government for an assurance as to whether decisions would be taken at this stage in the proposed agenda as raising the issue was not enough. The British Government said it hoped it could give that assurance by attempting to have all the participants reach agreement on the issue. The DUP, in referring to item 3 of the British Government proposal, asked why the language here could not be reflected in item 2. The British Government restated its previous response. The UUP sought clarification of the Government's intention, asking whether it was now saying that there could be a discussion of decommissioning which would then lead to agreement on a commitment to constructively operate all aspects of report of the International Body. The UUP continued saying that both theirs and that position, item 1 in the latest document presented by the

the SDLP proposed agenda referred to this latter point. The Government's version did not and the UUP commented that such a commitment couldn't be bypassed as it required a proactive decision to move forward on it. The British Government said it was their intention to support the Mitchell proposals. The document circulated was an attempt to remove the logjam but the Government was now slightly taken aback that it might be regarded in some way as an offensive weapon. Perhaps the UUP could suggest a alternative form of words for item 2? The UUP declined to draft on the hoof.

8. The UKUP stated that as regards the Governments proposed agenda, item 1 was OK. Item 2 was too confining as it might suggest that the party accepted the strictures of the Mitchell Report, which it didn't. Referring to a proposal made earlier, the UKUP stated that there could be no logical objection to the use of the terms "discussion and agreement on decommissioning" as this would allow everyone to cover their own specific points on the pro-union side. Furthermore there should be nothing in items 2 and 3 which restricted discussion on decommissioning to that which pertained in the International Body's report. In summary the UKUP proposed that the agenda be redrafted to read 1. as drafted; 2. discussion and agreement on decommissioning; 3. as drafted; 4. agreement on the timetable for the launch of the 3 strands and any agreed mechanisms on decommissioning and 5. as drafted. The UKUP stated that it failed to see the Governments objections regarding item 2 if its own approach to the suggestion was as above board as it had been suggesting earlier.

9. The DUP said it still held to the joint unionist proposals as offering the best way forward. Nevertheless, without prejudice to that position, item 1 in the latest document presented by the

British Government would be acceptable if item 2 could be expanded to include the elements (a), (b) and (c) of the joint unionist proposal. The DUP referred to the statement by the British Government that it was trying to use the same language as in the February communiqué and said that this was not the case with regard to its proposed item 3 on the comprehensive agenda. It did not follow the language of the communiqué. The DUP also said that suspicions were aroused by the unwillingness to suggest that an agreement could come out of discussion.

10. The DUP went on to say that all participants had received a document which set out the two Governments' approach to decommissioning in paragraph 7. It wondered why the word "agreement" could not be inserted in item 2 of the agenda in relation to decommissioning. That word was used in item 3 in relation to the comprehensive agenda and "agreed" was used in item 4; but it was not possible apparently to have it in item 2. The debate had to be about that issue. Did the Government wish the participants to discuss the matter or not? The DUP was suspicious of the Government so it (the Government) had a duty to build trust in the matter.

11. The SDLP said that obviously the sensitivities which had been voiced suggested that the widest possible discussion on the Governments' proposals should take place to address concerns. The SDLP proposals were put forward on the basis that full and comprehensive discussion on both issues would enable effective decisions to be taken. The party would look positively at the Government's latest proposal which, it seemed to them, adopted a more circumscribed approach involving just circulation and introduction of proposals.

12. Alliance said that its silence in the discussion so far did not indicate consent. Without prejudice to its previous position, it felt that paragraph 2 of the proposal was in a more satisfactory form than paragraph 3 in the agenda of 30 July, 1996. The British Government suggested, at that point, that perhaps the participants should take the matter away for further consideration. The NIWC sought clarification in relation to the joint unionist proposals. The point related to the earlier statement by the unionists that the contents of the International Body's Report were not acceptable, yet the joint unionist agenda referred to "consideration of the International Body's proposals on decommissioning" in quite some detail. The NIWC wondered whether there was an inconsistency in that approach. The DUP said it foresaw no problems once the discussion was not confined to the International Body's Report. The NIWC still thought that the joint unionist item needed elaboration to provide for a wider approach. The UUP said it saw no difficulties with regard to the joint unionist proposal. The UKUP said that consideration of a proposal did not mean that it was accepted or endorsed.

Paragraphs 34 and 35 in the Mitchell Report did not offer any proposals or a requirement. The SDLP made the point that consideration of a proposal did not bind anyone and neither did the invitation to address a proposal. The SDLP made the point that consideration of a proposal did not bind anyone and neither did the invitation to address a proposal. The SDLP made the point that consideration of a proposal did not bind anyone and neither did the invitation to address a proposal.

13. The Chairman intervened at this point and said that as no general agreement existed at this stage, he proposed to adjourn the meeting to the following day. The UUP wondered whether the Irish Government supported the position of the British Government. The Irish Government said that it did. The DUP reminded the British Government that it said it would respond once the views of the participants had been expressed. The British Government said that a genuine attempt to break the logjam had not succeeded

because of words used. It was not wise to proceed to redraft on the hoof, so it seemed best to reconsider the points made in the debate. It was disappointed, however, in relation to the comments made regarding the wording taken from the February communiqué. When the precise words were used, it seemed to have caused difficulties. The best approach was to leave the matter for the present to allow the Governments and the parties to consider the position.

14. The DUP said that it appeared that if the British Government aligned item 2 with item 3 in relation to the use of the word "agreement", progress could have been made in the matter. If the British Government could depart from the wording of the February communiqué in relation to the agenda, it could do so in relation to decommissioning also. The party also wondered why the British Government did not address this earlier question about the paragraphs in the joint paper circulated that day in relation to decommissioning. It also suggested having a fixed time for the reconvened meeting on Wednesday 2 October.

15. The UKUP said it was about to make the same point with regard to the unsatisfactory nature of adjourning meetings subject to the call of the Chairman. The meeting should resume at 10.00 am the following morning. It might also be possible to make progress if all parties could agree to their earlier proposal in relation to items 2 and 4. A 20 minute adjournment might suffice for that purpose. The UKUP then went on to say that it seemed that - two matters only needed to be decided - whether the order was item 2 followed by item 3 or item 3 followed by item 2. It was time that tough and hard decisions were taken. The problem would not be solved through semantics, but there would not be a great deal of movement by the unionist parties in the matter. The

Government's proposals were not acceptable to them because they provided for progress on decommissioning in return for political consensus. The position with regard to decommissioning had radically changed since Canary Wharf, the recent Belfast car bomb, and the recent bomb finds in London. Neither would a tactical and temporary cease-fire would not suffice. A permanent cease-fire accompanied by the handing over of a considerable amount of weapons/explosives and endorsement of the Mitchell Principles by IRA/Sinn Fein was required.

16. The British Government said that this seemed more like a trailer for the UKUP speech on decommissioning. It wanted to agree an agenda to facilitate the sorting out of positions by the parties. Both Governments wanted to see a conclusion to this debate to allow the talks to progress. It was surprised to hear that the proposals put forward were not specific enough in the light of earlier criticisms to the contrary. The debate had buried itself in confusion and the best approach now was to take the matter away for further consideration.

17. The DUP said that the IRA would be well pleased with today's work by the participants. There was talk about being sensitive to the IRA, but what being sensitive to their victims? The meeting should be able to discuss and agree the proposals on decommissioning. It was a simple enough matter, but the Irish Government, the SDLP and Sinn Fein did not want that.

18. The UUP said it wanted decommissioning discussed first of all. The latest draft proposals were not acceptable, but it wouldn't be possible to make progress now. There should be an adjournment to 12.00 noon the following day to try and get the draft agenda agreed.

19. The Chairman took note of the suggestion made and adjourned the meeting to 12.00 noon on Wednesday, 2 October, 1996, at 18.37

Independent Chairmen Notetakers
2 October 1996

OIC/PS17

1. ... body's proposals on decommissioning.
2. ... on comprehensive agenda.
3. ... and any agreed mechanisms on Decommissioning.
4. ...
5. Chairmen's concluding remarks.

FOI/DEVT/1348/CAO