

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
TUESDAY 8 OCTOBER 1996 (12.07)

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 convened the meeting at 12.07 commenting that some serious discussions lay ahead of the participants. In advance of these the Chairman stated that he wished to have the participants' approval to the contents of the five draft records from Plenary sessions the previous week which had been distributed on Friday past.

2. Taking each draft record individually, the participants approved all five. The Chairman stated that originally the next item on his agenda concerned the issue of agreeing the remainder of the agenda for the Opening Plenary session. Before moving to this and asking participants to comment on the progress of bilaterals to date, he proposed that delegates comment on the previous day's bombing in Lisburn.

3. The British Government began its remarks by referring to the rather predictable comments expressed in the media that the Lisburn

bombings had destroyed the political talks process. On the contrary, the British Government said that Monday's events had underlined the importance of the political process succeeding. The British Government reaffirmed its view that the present talks process presented the only practical means of arriving at an agreed solution, thereby removing the bitterness of past years with a settlement that could be put to the electorate by referendum. There was simply no justification for violence such as witnessed yesterday, nor could such action invalidate, in any way, the continuance of the talks process. The British Government said it was fully committed to seeing the process through to a positive conclusion and would do its level best to make sure it succeeded in this.

4. The Irish Government associated itself with the sentiments expressed by the British Government and read aloud a Government statement issued after the Lisburn attacks. It also recalled that several Government spokespersons had taken the opportunity, provided by the atrocity, to make it clear that the importance of asserting the primacy of politics through the political talks process was vital. The stinging rebuke for the perpetrators of this incident was not just words of outright condemnation, but demonstrating to them that the talks process was determined to show it could find a way forward through dialogue and agreement.

5. The Chairman read out a statement made by Senator Mitchell while attending the economic conference at Pittsburgh. The Chairman indicated that both he and General de Chastelain fully supported Senator Mitchell's statement.

6. The UUP commented that as regards the original purpose of the session, it did not consider that a position, whereby agreement on

the issues relating to the remaining agenda, had yet been established. The party believed further bilaterals were required. As to the events of the previous day, the UUP said it had been deeply disturbed by these. It expressed sympathy and condolences to those injured. It was deeply regrettable that such messages had to be sent at all to the victims and their distressed families. The UUP stated that it had heard some people interviewed in the previous 12 hours saying that violence never achieved anything. The point was that there were those in society who did see the benefits of using violence so the earlier statements were sadly wrong. The UUP referred briefly to the Sinn Fein statement earlier in the day on the incident and reiterated its view that this provided the focus as to why it was vitally important to resolve the outstanding substantive issues around the table. As to the British Government, which had the power to invite people to the process, the UUP believed it now needed to urgently review the present criteria for admission into the talks.

7. The UKUP, having listened to the statements of both Governments, said that these portrayed a totally unreal picture and one that was without foundation. The party had listened to the Prime Minister's (Mr Major) comments the previous evening and the expressions used by him. The UKUP said that the Prime Minister seemed to be in the frame of mind of wishing to be careful to distinguish between who might have carried out the attacks - the Irish Continuity Army or the IRA. The Prime Minister also seemed to forget that the cease-fire had ended in February and that he appeared to be preoccupied by incidental significances. The UKUP said that, in its view, the peace process had been dead for some time and it was simply an optimistic figment of the Governments' imagination to think it otherwise. The UKUP continued saying that there were two agendas operating in Northern Ireland. One was

focused on the two Governments' approaches to dealing with the terrorists in terms of including such groups in the process of political dialogue. The second agenda focused on keeping Sinn Fein/IRA out. There is no basis on which Sinn Fein/IRA can ever be admitted to these negotiations. The Prime Minister has said he could not demand a permanent cease-fire because it wouldn't be given. The SDLP and the Irish Government had and still continued to look for other formulations to bring them in. It was now time to consider the reality of the situation. The talks process was an entire fraud.

8. The UKUP said that British Government Ministers were often saying that they knew what the people of Northern Ireland wanted, but in reality they knew very little. The people of Northern Ireland didn't want Sinn Fein/IRA at the negotiations. The UKUP said it listened to the earlier comments from the Irish Government regarding the primacy of politics. But the fundamental democratic responsibility of Governments was to protect its people and implement the rule of law. Both Governments refuse to discharge this duty. They have declared by word and deed that unless there is accommodation with terrorists, there can be no peace. This suggests an unwillingness or inability to deal with terrorism. It was as a result of this continuous pushing that the two communities were now at each other's throats in Northern Ireland. This situation was the product of the British Government's "only show in town". The process had brought no peace, no reconciliation and no stability. The UKUP recalled similar topics being articulated by the British Government in introducing the Anglo-Irish Agreement in 1985 yet some 11 years later the fruits of that Agreement had widened the differences between the two communities rather than narrowed them as the Agreement allegedly intended. It was likely that the same could be said in 10 years time about this process.

9. The UKUP stated there could be no place for Sinn Fein/IRA at the negotiations unless the two Governments and the SDLP went along with a permanent cease-fire, a credible and significant proportion of weapons being handed in and the establishment of a practical process for decommissioning. The party stated that those who met Sinn Fein/IRA under any other circumstances were betraying the people of Northern Ireland. That was why decommissioning should not be delayed any further. There was no requirement for an agenda at this stage. All participants had signed up to the Mitchell Principles; therefore, to follow the language of the joint communique, addressing decommissioning was the next most immediate step. Decommissioning was an independent prerequisite, not an agenda item; it needed to be got on with now.

10. The DUP welcomed the Chairmen's earlier remarks in relation to Monday's events. It also extended sympathy to all those involved and hoped that everyone would have a full and speedy recovery. The DUP totally condemned the incident. The party stated that it trusted the British Government would now accept the view of the community that it could not afford to relax the fight against terrorism just because it was trying to wean the terrorists away from violence. The DUP, on listening to the British Government's comments earlier that the incident would not destroy the peace process, said it hoped that in one way it was wrong and, in another way, right. In looking at the former, the DUP said that the Government was clearly hoping to bring in Sinn Fein/IRA to the process so that they would give up violence. The decommissioning issue, and the manner in which the two Governments more recently saw its mechanisms operating, seemed to be a means of providing sufficient sweeteners to be developed to bring Sinn Fein/IRA into the process. The DUP said it now hoped the British Government

viewed Sinn Fein/IRA as being beyond the Pale. No-one could justify the entry of Sinn Fein to the negotiations under their current modus operandi, i.e., turning the violence on and off at will to extract concessions.

11. Looking at it the second way, i.e., that the process would continue, the DUP said that talking with each other was the only way forward. Discussions had to be taken on a fair and equitable basis with a proper agreed agenda. In terms of the Irish Government's earlier comments, the DUP said that the only stinging rebuke that should be given, particularly from the Irish Government's position, was that it believed Sinn Fein/IRA were beyond the Pale. This view that Sinn Fein/IRA could be sanitised in some way through time, rather than by a change in behaviour, was not on. If the Irish Government could demonstrate these points in any way to the unionist people in Northern Ireland, then this would be helpful.

12. Alliance joined in the earlier sentiments expressed regarding Monday's attacks and offered sympathy to all those injured. The party stated that it had a lot of regard for those who had been saying that enough pandering to the terrorists had already taken place. These views were being expressed by a party which fully accepted the IRA cease-fire of 1994 on trust and as an act of good faith as well as participating with Sinn Fein in discussions at the Forum in Dublin. While now was not the time to be finger-pointing at these actions, it was the time to assess the reality of the present situation. Trying to get people away from violence was a laudable goal but one had to now question the success or failure of that strategy. If it was deemed to be a failure, then it was surely time to get on with dialogue. If anything was to be learned from Lisburn, it was that the process had to be the means whereby

the political vacuum, which to some simply spawned violence, did not exist. This position could only be achieved by meaningful dialogue. Alliance questioned, in that context, whether decommissioning was a relevant topic for discussion. The process of dialogue was being taken forward by delegates who had already committed themselves to peaceful means in any event. The key question was therefore whether all the hoops, etc. on decommissioning had to be gone through now? Alliance said it wished to plead with all around the table that now was the time to get on with meaningful dialogue to bring about a peaceful solution. There appeared to be a will in the communities for the process to succeed. It was now a matter of working together around the table, getting on and dealing with the actual substantive issues and not pandering to the terrorists.

13. The SDLP condemned the Lisburn bombings and expressed sympathy to all injured. The party said that the explosion had been clearly designed to increase tensions which had developed over recent months. Incidents like this exercised influence and control over the political process or, put another way, they were designed to achieve political objectives through the use of non-democratic means. The problem that faced participants was whether the political process itself could solve the overall problem. The terrorists believed it couldn't and that's why they used violence. The SDLP rejected this thesis absolutely. Violence solved nothing and would not extract concessions. It prevented political progress. The SDLP said it was right to focus on the democratic process and right for Alliance to highlight this earlier. However, an underlying thesis of some around the table appeared to be that if Sinn Fein/IRA didn't exist then everything else would be all right. This thesis needed careful examination for the process had already been going over five months with minimal progress being

demonstrated, yet Sinn Fein had not been present. The ghost of the Sinn Fein was not one nurtured by the SDLP. However, when incidents such as Lisburn occurred, it was understandable that an obsession with Sinn Fein would develop particularly on the unionist side. Beyond these incidents, however, continuing the obsession, as some participants appeared to be doing, was not on. This was simply stultifying the political process.

14. The SDLP continued saying that this obsession provided no generosity of spirit in which to do political business. There had been no attempt either to rise above the banal issues and get on with real negotiations. There had been little or no indication that certain parties had a readiness to deal with the real political problems facing everyone. The SDLP stated that it wasn't making any excuse for bombing in Lisburn, but such incidents did provide an excuse for those not involved in violence not to move forward on political progress. The SDLP asked what was being done to get beyond this situation? The public saw a process that couldn't agree on an opening agenda. It was also likely to see a hollow debate on decommissioning. Was any of this going to inspire them with confidence in the political process arriving at a solution? The SDLP reiterated its view that all recent talks activity would be viewed as hollow unless the thesis referred to earlier was put to the test. The party said that the most potent pressure to bring to bear on the IRA was the indication that the political process could and would work. All participants now had an opportunity to ensure that this happened. The key question was whether such an opportunity would present itself again. At present the two Governments and a number of esteemed international people were available to try and assist in achieving progress. Despite some participants who had indicated their desire not to have these groups present it was essential that the process rose above these

people and moved on to deal with the real political issues. At the end of the day the only democratic answer to all the terrorists in Northern Ireland was for the process to produce positive results.

15. The UKUP said that its thoughts were with the people injured in the bomb explosions. However, when the dust settled and the names of the injured had faded, it should be remembered that the finger of blame pointed at the two Governments who had abdicated their responsibilities. The British Government had made it clear in coded messages (as they had done at the time of the Brooke talks) that they lacked interest in Northern Ireland, not having any selfish economic or strategic interest in the Province. This signalled to IRA/Sinn Fein that their terrorism was succeeding. For its part, the Irish Government had, time after time, refused to work in the security field. It had aided and abetted the IRA to further its violent campaign. Accordingly, both Governments should hang their heads in shame. It was, perhaps, understandable that the IRA would engage in terrorism, but the Governments are blameworthy for failing to deal with the organisation.

16. With regard to the view of the British Government that the peace process must not be derailed by the bombs, the UKUP said that it did not believe that the IRA had that aim in mind. The UKUP regarded the peace process as a child of the IRA and its sister party, the SDLP. It was not designed to bring the parties together in a political process, but to further the cause of republicanism in its attempts to create a 32 county State. It was a republican-inspired process and was flawed in that regard. That was why people had remarked that they liked the peace but didn't like the process.

17. It also appeared to the UKUP that the Prime Minister's warning to terrorists that their attempts to derail the process would not succeed sounded hollow. It was surely the case that the all-party talks were an IRA demand or slogan which were ultimately announced and delivered after the Canary Wharf bomb. Paradoxically, however, the bombs in Lisburn could spur the British Government on to get past the issue of decommissioning. With regard to the points made by the SDLP and Alliance parties, the UKUP felt that the whole process would be focused on the need to avoid that issue so as to get Sinn Fein/IRA into the talks. The UKUP said it was not prepared to use the negotiating body to move past decommissioning until it was dealt with fully. The UKUP regarded it as the lock in the door to keep terrorists out of the talks.

18. Labour joined in the condemnation of the bombs and said that it wanted to share in the expressions of condolences for the victims. It went on to say that it never ceased to be amazed at the patience of the two Governments who had to listen to the tripe and rubbish which had been expressed by the UKUP. [There were interruptions at this point with Labour refusing to yield to the UKUP.] Labour said it shared the view that the bombs were obviously intended to derail the peace process. The bombs in Manchester and Canary Wharf as well as the recent events in London were calculated by evil people to disrupt the political process. It took exception to the remarks by the UKUP about a lack of a peace process and the primacy of the political process. Labour had been involved in the work of the Education Committee in the Forum which had produced a recent Report on this subject. That was an illustration of the practical use of politics in action forming a common view on education policy in Northern Ireland. On the previous day, Labour and six other parties met the group of

businessmen led by Sir George Quigley to discuss economic matters of relevance to the situation in Northern Ireland. It was disappointed, however, with the negotiating process so far. It felt that it was time to deal with the question of decommissioning, possibly starting on Monday 14 October to get it out of the way. The people outside the talks were asking the delegates to discuss a way forward for Northern Ireland and the bombers were afraid that they would actually come to an agreement. Labour in the past had paid tribute to the PUP and the UDP for the part they played in keeping the peace process alive, and it exhorted those parties to use their influence to ensure that others would not react negatively and rise to the bait of the thugs and the gunmen; otherwise, there was a danger of going over the abyss. This was the very result desired by the IRA.

19. The UKUP intervened to say that it left it to the Chairman to decide how to deal with a member who shouted that another member was talking rubbish. The UKUP did not engage in that type of behaviour and there was a danger that a bad precedent would be established. The comments of Labour were not, perhaps, surprising, but the UKUP thought it was regrettable that the British Government seconded the comments and added to them.

20. The British Government took up comments made by Labour in relation to the patience of the two Governments. The Secretary of State had cut short his attendance at the Pittsburgh Conference where representations of every District Council were present supporting the efforts of the two Governments and the American Government to foster trade and investment in Northern Ireland and the border counties of Ireland. As to the UKUP's complaint about criticisms of its earlier remarks, the British Government asked the delegates to consider which was more objectionable, the "tripe"

allegation or the serious accusation by the UKUP that the Prime Minister had behaved in a way that was calculated to deceive. The Prime Minister has done more for the people of Northern Ireland than any other Prime Minister. Yet the UKUP had referred to the talks process as cynical and fraudulent negotiations and accused the Government of pandering to Sinn Fein. It had also cast aspersions on security policy in Northern Ireland as opposed to that on the mainland and alleged that the peace process was never intended to bring about reconciliation. The British Government said that the UKUP would be familiar with legal pleadings where allegations which were not contested were regarded as accepted. It made it clear that the particular allegations by the UKUP were not accepted.

21. The Irish Government said that in case silence might be taken as signifying consent to the startling allegations made by the UKUP around the table, it wanted to make it clear that it saw silence in some circumstances as a form of charity. It was prepared to extend that charity as far as possible, especially to participants in the talks whom it regarded as being particularly deserving recipients of that policy.

22. The PUP said that it agreed with the opening remarks of the UUP concerning the great need for more bilateral discussions. It also took the opportunity to extend its sympathy to the victims of the bombing and to wish them a speedy recovery, both mentally and physically. The party referred to a statement attributed to one of the Kennedy family to the effect that one could look at things as they are and ask, why, or alternatively, one could look at things as they could be and ask, why not? It said it was not productive to ask why things have happened; a way forward should be found instead and determined efforts should be made in that regard to

find agreement based on consent. It had to be remembered that Sinn Fein had not been involved in the talks over the past five months and still not much progress had been made. An agreed solution is the weapon to use against Sinn Fein/IRA or anyone else who used violence to gain a political advantage. If it was possible to reach an agreement which found favour with the people in a referendum, who could challenge such a result, the party said. Referring to the comments of earlier speakers, the party also said that it would do its best to ensure that there would be no return to violence. It wanted peace. History would not treat the participants in the talks kindly if they failed to grasp the best opportunity for peace that had been presented to them.

23. The NIWC said that it too saw the need for further bilateral meetings to take place. It had already spoken in the Forum to this effect and on the need particularly to get agreement between the unionist and nationalist parties. The party agreed with the earlier remark by the DUP that the IRA were outside the Pale, but it would be necessary at some stage in the future to bring such people back into the process. It said that it also saw the need for further bilateral meetings to take place. It had already spoken in the Forum to this effect and on the need particularly to get agreement between the unionist and nationalist parties. The NIWC also wished to sympathise with the victims of the bombing. It said that much healing had to take place in Northern Ireland. The negotiations must continue in good faith but unfortunately there had not been much evidence of that. The party felt that it was slightly disingenuous for the UKUP to have said that the negotiations were a fraud. The party seemed to have held that view since the talks began and that was indicative of bad faith on its part. The NIWC wanted the process to move forward, especially to

get an agreement on the agenda for the remainder of the Opening Plenary session.

24. The UKUP said that it wished to deal with the suggestions by the SDLP and the PUP of time-wasting over a period of five months. The PUP said it had not referred to time-wasting, it had just referred to the failure to agree over that period. The UKUP said that the point in substance was the claim that the decommissioning issue was an empty one and that the talks which had taken place were about insubstantial matters.

25. The UKUP felt it was necessary to look first at the thrust and direction which were laid down for the talks in the Governments' foundation documents of 6 June 1996. With regard to the subject of decommissioning, the Independent Chairman was given a special role or power in relation to decommissioning in paragraphs 9 and 14 of the Scenario paper. This matter came to light again recently in the document produced by the two Governments. It was wrong, therefore, to suggest the decommissioning issue was an empty one or that the discussions which had taken place were not of the utmost importance. It was the Governments' intention, according to the UKUP, merely to allow the participants to play a part in implementing the Governments' pre-ordained course through a fixed agenda and pre-determined direction. The SDLP seemed to suggest, the UKUP said, that if parties failed to go along with this strategy, they were being obstructive. The UKUP maintained that because the three pro-union parties were united in their opposition to the terms for the entry of Sinn Fein into the process, that this in some way meant they had bad faith, were engaged in obstruction and were indulging in delaying tactics. Yet all that these parties were objecting to was the idea that Sinn Fein could enter the talks without having to

decommission anything. The UKUP felt that the Lisburn bombs threw into sharp relief what the Governments' policy in that regard could lead to. The party said that the five months discussion was very valuable and it had assisted in highlighting the problem of Sinn Fein and violence in relation to the negotiations.

26. The UKUP continued and said that the talks body had no control over decommissioning by Sinn Fein/IRA but it did have control over the conditions under which that party could enter the talks in the company of democratic parties. The party said that Alliance seemed to suggest getting on with the business and forgetting about Sinn Fein. The UKUP agreed with that view on the basis that the threshold for entry should be set and it outlined the following principles which should apply in that regard:-

- declaration of a permanent and complete cease-fire;
- agreement to hand over weapons and explosives;
- begin a process of decommissioning independent of the talks process to show that it was not bartering political concessions for guns and semtex.

The UKUP said that this last mentioned condition was necessary in view of paragraphs 9 and 14 of the Scenario paper and paragraphs 34 and 35 of the Mitchell Report which were designed to achieve the opposite result.

27. The UKUP said that what was discussed in the previous five month period was fundamentally important with respect to the ownership of the talks, the question of freedom of direction and the amount of Government control in the process. A solid foundation for a settlement would not come out of woolly statements about living together in harmony with shared friendships. It must

be based on a rational assessment of the realities of the situation in Northern Ireland.

28. The UDP expressed sympathy with the bombing victims and joined in the statements of condemnation. It said it believed that Sinn Fein/IRA have no interest in joining the political process and felt it was incumbent on all parties present to make progress in the negotiations so as to undermine the activities of Sinn Fein/IRA.

29. The UUP said it was proposing an adjournment subject to the call of the Chair to allow further bilateral meetings to take place. However, at this point the SDLP said that it wished to point out to the UKUP that it did not say that decommissioning was an empty issue. Rather it was crucially important and it had to be solved, but it should not be treated in such a way that would prevent a solution. It should not be grandstanded, nor should a macho issue be made out of it to create obstacles. The means to succeed on the issue have been set out in the Mitchell Report. However, it seemed to the SDLP that some people thought that they knew better.

30. As to the talks process, the SDLP said that the harsh reality was they were not the property of the participants. The two Governments had created the talks because otherwise they would not have come into place at all. It was to be regretted, perhaps, that the Governments did not take advice in relation to the format of the talks, but they represented the best opportunity for progress that was available. The SDLP rejected the UKUP suggestion that it was playing games as well as the notion that the talks were a fraud. Was it the UKUP contention that the participants were fraudsters or accessories to fraud, it wondered? The SDLP rejected

that as a cynical observation and stated it saw a contradiction in the UKUP position when the UKUP also maintained that the participants in the talks were democrats debating the future of Northern Ireland. With regard to the criticism of the two Governments in relation to their position paper on decommissioning, the SDLP said it would be surprised if the Governments didn't give full views to show what strategies they had in mind and underscore their responsibilities in the matter. If the SDLP thought that the process was a fraud, it would not participate in it. The question rather had to do with the position of those who remained in the process while thinking that it was a fraud. The UKUP said that it accepted that the SDLP's reference in the decommissioning context was to a hollow process, not an empty one.

31. The British Government suggested adjourning the meeting at that point. The UKUP sought a definite indication of the time for a resumption. The Chairman said that he had wanted to allow statements on the bombing and then go on to deal with the agenda issue. However, he had been advised that further bilaterals were necessary. The PUP suggested an adjournment to Monday at 11.00. In view of the fact that more time would be needed for bilaterals, the Chairman said that he would adjourn the proceedings until not later than 12 noon on Monday, 14 October 1996, subject to the call of the Chairman in case matters proceeded more quickly than anticipated. The meeting adjourned at 13.47.

Independent Chairmen Notetakers
9 October 1996

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