

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
MONDAY 14 OCTOBER 1996 (19.28)

Those present: UUP and SDLP had approached the Chairman with a view

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 19.28. He stated that before the adjournment, the UUP, seconded by the SDLP had proposed that the session now commencing be an open ended one. The Chairman said that this proposal had been rejected by some delegates and he now wished to take a vote on it.

2. The DUP objected to how the matter was being progressed in terms of a vote. A number of participants had other engagements to go to. Sudden changes of timing regarding the business just made it impossible to make other arrangements connected to normal life. The DUP said there was no need to extend the meeting as this was not the manner in which the issue of the agenda should be taken forward. The UUP agreed with the DUP regarding the difficulty of making and keeping appointments away from the talks process. The talks were, however, extremely important, although the UUP motion was to proceed with this specific business tonight and nothing else.

3. The DUP stated that earlier in the day, three representatives from the DUP, UUP and SDLP had approached the Chairman with a view to seeking an adjournment of the business until the next day. The DUP thought this had been agreed, but now found that that trust and agreement had been gone back on by the UUP. Clearly it had been not possible to trust others on the adjournment issue but why hadn't the UUP told the DUP about the change in plans? The DUP said it was simply not fair to party members to be put through all this. It was also quite ridiculous that the agenda proposal put forward by the Chairman had then to be withdrawn. Then a new agenda was put on the table. Participants, however, couldn't be expected to do business on any of this when they didn't know what was going to happen because things were changing so quickly. The DUP asked why the Business Committee was not involved in this issue in order to pre-empt these type of problems. This hadn't happened and should have. The DUP said it had been treated very poorly on this matter.

4. The UKUP pointed to the fact that its leader had been present for all but two days of the talks thus far. The party said the number of days were plenty when talks had been quiet as well as days when the process had been interrupted by party conferences, etc. Now, however, after six hours of an adjournment, participants were faced with a long session into the evening simply because of something cobbled up by the UUP, SDLP and the two Governments. For the UUP to say the talks were important, didn't seem to be in line with the UUP leader's attendance at the talks, which the UKUP said was less than prolific. Of course now, however, when it appeared convenient to do so, the UUP was proposing dropping everything else to push one issue through. The UKUP asked what was so special about the agenda that necessitated

this sort of action. The party said that if such an approach was intended to build trust, then it just wasn't on.

5. The DUP said there was no doubt the issue of the agenda could be steamrollered through if there was no desire to build trust and confidence amongst the participants and those watching from outside. This attempt at consensus on the inside would never work on the outside. If the process was genuine about trying to build confidence then there was no point in putting the cart before the horse. The DUP asked where the British Government Ministers were? Only civil servants were present on the front bench, so was the British Government now saying that civil servants were making the policy? What this meant was that the civil servants actually represented no one and hence the undemocratic nature of the whole debate was there for all to see. The DUP confirmed that three representatives, one each from the DUP, UUP and SDLP, had unanimously agreed that an adjournment should be sought from the Chairman that day, thereby pushing the next plenary session into 15 October. The Chairman had indicated that it was a matter for the participants. The UUP said its representative had subsequently had discussions within his own party and the view of having such an adjournment then changed. The UKUP said it was clearly not possible to trust the UUP on this issue at all. Prior to the UUP changing its mind, the DUP and others had made arrangements to fly to London. When news of the change of mind had filtered through, these plans were then changed. The DUP again referred to an earlier point, stating that anything steamrollered through on the inside would not be accepted on the outside.

6. The DUP said that the UUP had now admitted that the

Alliance said all these exchanges had yet to move the debate on to issues of substance. The party agreed that it was clearly

inconvenient to continue to meet into the evening but the only reason for this was because the UKUP and DUP wished to debate the issue of the agenda's format. That said, it would have been entirely possible to do this between 18.00 - 19.00 but discussions about procedures and a willingness by the UKUP and DUP to fully debate the matter had put paid to this. Alliance said it wasn't a question of steamrolling anything through. Two parties wished to debate the issue, others wanted to listen. Everyone was present on this basis, so it was clearly apparent that the only ones keeping everyone in the room were the UKUP and DUP because they were the only parties with points to make. Alliance said it hoped it would be possible to reach the actual substance soon.

7. The UUP recalled the events of earlier in the day when a representative from it and two other representatives, one each from the SDLP and DUP, had met and then approached the Chairman on an agreed basis. The UUP confirmed that a request for an adjournment to the following day at 11.00 had been made to the Chairman. The UUP said that as far as it was concerned this was the accurate position. However further bilaterals were still continuing at the same time and the party subsequently decided that the agenda item should be taken at the plenary scheduled to start at 17.30 that evening. The UUP said that the original agreed view had been taken out of the individual representative's hands and these were the specific circumstances of the issue. The UUP said it apologised for any inconvenience caused to other participants, but no advance notice of the second decision was possible in terms of travel arrangements already made.

8. The DUP said that the UUP had now admitted that the circumstances surrounding the original agreement had changed. However, the UUP hadn't consulted with others involved in the

original agreement. The DUP said that Alliance had been very arrogant in its comments, implying that the agenda could have been pushed through earlier with little discussion. The agenda on the table, however, was not the real agenda. The DUP said it hoped the Chairman's office would provide similar typing facilities for the party to produce amendments as those provided to enable an agenda to be produced on behalf of the UUP and SDLP. The DUP said that this second document was only given to it as participants departed from the room at the end of the previous session.

9. Alliance returned to an earlier point, made by the DUP when it (the DUP) described the UUP/SDLP proposed agenda as being different to that proposed earlier by the Chairman and then withdrawn. From a procedural viewpoint, Alliance said the agenda was different but that was the only difference between the two. The DUP responded to this saying that it would have put the original proposal through had it been properly presented. But if questions of clarification were raised, for example on agenda item 2(a), the Chairman would have had to provide a response. The DUP said the business was only now in the correct format and order but so far it didn't know what the procedure was in approving this motion or for making amendments to it, never mind how the debate itself was going to be conducted. In recalling earlier comments regarding agreements reached and only certain parties wishing to debate the issue, the DUP asked how the two Governments and some parties could exclude other democrats from their full part in the process. Again the party said that while this could be attempted within the process, the election would show up this sort of behaviour in its true light. Turning to another point, the DUP said that while the Irish Government had no direct say in the affairs of Northern Ireland in terms of a democratically elected base, it had input into the process. The DUP said that the Irish

Government wanted the agenda business pushed through as quickly as possible.

10. The UKUP acknowledged the UUP's comments from earlier regarding the original agreement which the latter had entered into with two other parties. The party said, however, that such an event cast a poor reflection on the UUP for it appeared that it wasn't prepared to honour an undertaking given by one of its senior members. The SDLP then asked about the UUP's original proposal regarding the session being treated as open-ended. The Chairman, following further clarification from the UUP as to the exact formulation of its proposal, asked participants to vote on this. In favour of the proposal were Alliance, Labour, NIWC, PUP, SDLP, UDP and UUP. Those opposing were DUP and UKUP. The Chairman declared the UUP proposal carried.

11. The DUP said that it felt it might be useful to have an explanation as to four issues it wished to raise regarding the agenda. Issue one sought clarification as to how extensive the circulation and introduction of proposals for the comprehensive agenda would be as per item 1 on the UUP/SDLP agenda. Issue two surrounded item 2(a). As it stood in the document, the DUP said it seemed to indicate that only a discussion of the International Body's Report would be allowed. The DUP said others might wish to discuss this report and other proposals. Was there therefore a limitation on the DUP here? Issue three focused on the apparent logic gap between items 2(a) and 2(b). Nowhere did the UUP/SDLP agenda include making decisions and reaching agreements on decommissioning mechanisms. Could the DUP take it that this was included in 2(a) or 2(b) or in item 2(c)? If it was intended to be like this, then it was the wrong way round. The DUP said it might be all right for the SDLP to agree to proposals which they

weren't aware of, but it wasn't going along with this. Issue four focused on the establishment of agreed mechanisms. The DUP said that the process should be dealing with this issue as part of the overall decommissioning process rather than waiting until the launch of the 3-stranded negotiations which the agenda appeared to imply. The DUP said that put simply, decommissioning should take place before negotiations started. The party said that this was a vital issue. Clearly Sinn Fein had an alternative view of this i.e. no decommissioning until after a settlement was reached. The DUP said that obviously something in between both positions would be proposed and it had been. Now it was a case of having talks in parallel within the 3 strands of negotiations but no decommissioning. The whole matter required clarification and resolution particularly in the context of a sub committee being established but not being able to proceed without the agreement of the SDLP and Irish Government.

12. At this point the UUP pointed to an encouraging groundswell of support from the participants for the UUP/SDLP proposal on the agenda. The UUP said that, during the adjournment, several of the other parties who had verbally supported the agenda proposal had now formally signed up to it. The Chairman confirmed this position and asked that a document signifying this position be distributed around the table.

13. The DUP asked for clarification as to what document was now being dealt with since another one had just been circulated and had been proposed by others. The Chairman stated that the original suggestion to formally sign up to the UUP/SDLP proposal had emanated from the NIWC. In his view it was the exact same document as that proposed by the UUP/SDLP except that the proposers now contained all those parties who supported the

UUP/SDLP document and these were listed in alphabetical order on it. The Chairman asked the meeting to now consider the draft agenda as previously outlined. Following questions of clarification from both the DUP and UKUP regarding which document was on the table, the Chairman reiterated his view that the UUP/SDLP document and the one listing all those who supported the latter document was one and the same. The PUP said it was comfortable with this position. The UKUP retorted, saying it knew why the PUP was comfortable with the agenda proposal for it meant that it wouldn't need to decommission. The PUP stated that it did not have any weapons to decommission and rejected the UKUP's comments.

14. The UKUP stated that surely the UUP or SDLP would need to respond to the four points raised earlier by the DUP. The UKUP said it was also reminded of the fact that the UUP had itself, in earlier comments, stated that it was interested in the clarification of some of the wording contained in the joint UUP/SDLP proposal. The UKUP said the UUP should take participants through the proposal. The DUP, in referring to the latest document, said that the process now had an agenda proposed by the Alliance Party but it had had no involvement in drawing that agenda up. The party was therefore objecting to the whole debate being conducted on this basis.

15. The SDLP said it didn't think the debate was going to get anywhere in its current format. It proposed that the agenda proposal, supported by those participants who had signed up to it and presumably the two Governments, should be voted on now by declaring it to be a procedural motion. The DUP asked which rule of procedure could handle this. The SDLP said that rule 10 contained the appropriate reference. The DUP inquired as to what

was going on. It recapped on the proceedings so far, including its earlier comments on an agenda being proposed by a party which had not been involved in drawing that agenda up. The DUP said now some type of procedural motion was being proposed. This all appeared very odd. The DUP had asked some reasonable questions earlier; where were the answers to these so that a proper debate and discussion on the issue could follow. The DUP said it regretted the actions of other parties signing up to the UUP/SDLP proposal. These parties were aware that amendments would be forthcoming so they were already saying they didn't support them in advance of knowing what they were. Four issues had been raised on which certain parties could provide responses. Now there appeared to be no one going to respond. The DUP said it required both the UUP and SDLP to present views on the four issues raised. It was altogether wrong for the SDLP to propose some sort of procedural motion at this point for it was wrong to stop discussion. The process was a talks process; it was not about forcing issues down people's throats.

16. The British Government stated it was keen to pursue consensus on the issue of an agenda. It had taken note of the DUP's four points and believed it would be helpful to have an explanation of these issues. The British Government said that if it was thought to be helpful, amendments could be tabled and debated by the participants. It did, however, also support the agenda proposal which was currently on the table and which had been supported by a number of parties. The UUP said it hadn't asked anyone else to sign up to the agenda during the adjournment. This had taken place at the parties' own volition. Following a query from the DUP, the UUP said it was content to provide clarification and to receive amendments. It was not, however, content to move to a vote on the proposal at that stage. The DUP asked whether it was

right for the plenary session to decide on the agenda proposal and if so, why was the Chairman's staff pushing new documents around the parties? Alliance replied saying there wasn't a new document. The DUP asked why was a document then introduced with all parties supporting the proposal listed at the top if it? Alliance replied saying this was a result of other parties signing up to the UUP/SDLP proposal.

17. The UKUP said it wanted to deal with the circumstances surrounding the current proposal, signed by a number of the parties. It said that prior to the adjournment, the UUP had stated that it was content for it (the UUP) and the SDLP to accept ownership of the Chairman's original proposal. The UKUP said it understood that the Chairman's office then serviced the production of the second document (joint proposal from UUP and SDLP) asserting that enthusiasm oozed from the face of a staff member of the Independent Chairmen's office when dealing with the Irish Government and the SDLP. The third document produced was not about others joining the proposers, because the UUP and SDLP now appeared at the end of the list of those proposing it. The UKUP stated that the list of proposers might well be in alphabetical order, but all other parties should have appeared as additions to the 2 proposers. As to the contents of the proposal itself, the party said that as far as the UUP was concerned, it had already mentioned that it wished to have some of the wording clarified. However in item 2(a), the only proposals on decommissioning which appeared available for discussion were those belonging to the International Body. Item 2(b) referred to a discussion but made no mention of any agreements being reached. Item 2(c) looked like a reappearance of the Mitchell Report; it talked about mechanisms but what were these mechanisms? The UKUP said that it was quite apparent that two features had been developing throughout this

discussion. On the one hand Alliance had been promoting the idea of getting on with the business without allowing discussion. This position had been backed up by the SDLP which appeared to be saying that as long as an agreement was reached between a majority of the large and small parties (of both traditions) there was then no need to have a discussion.

18. The UKUP stated that if this was the way the process was going, then there was no place in it for others who held different views to that majority. This sort of incident seemed to be suggesting a clear invitation for parties to remove themselves from the negotiations. If the DUP and UKUP did remove themselves this wouldn't be the end of the matter, for the public would be made aware of what was going on in a process which had allowed this to happen.

19. The Irish Government stated that the draft agenda proposal contained no problems for it. There was no evidence of collusion between parties to attempt to marginalise others. Everyone was present to try to go forward and make progress. It was the view of the Irish Government that the agenda proposal now allowed such progress to be made for it had the support of seven parties and two Governments. If there were amendments to be put down, however, then these should be considered in the normal way. The UKUP asked the Irish Government whether it supported the SDLP's earlier proposal of a procedural motion.

20. The SDLP, after objecting to insults to women in the room, said it was not proposing a guillotine but rather the implementation of the Chairman's powers under rules 30/32. The Chairman had the power under rule 30(a) to consult the participants which he did and to put forward a solution which he

believed would get agreement. Seven parties were in favour of it. This was a matter of exercising an option. It was not a new matter for extended debate, it had been on the stocks since 10 June last. Clearly, the Chairman was within his rights in taking the action he did. Rule 32 provided that further proposals could be considered - there were none and, in that event, if there was no unanimity the Chairman had the power to proceed on the basis of sufficient consensus. What he proposed was the implementation of the rules of procedure as drawn up by the participants. It was not an attempt to stifle the debate or side track other proposals. The SDLP hoped that the Chairman would look carefully at the wisdom of taking a decision on putting a proposition to the meeting. The party had listened to the points made by the UKUP about the ugly features and contradictions in the document, but it should be remembered that the UKUP had subscribed to the consideration of the International Body's Report on decommissioning in an earlier submission. The SDLP contended that there were no essential differences between what the UKUP and the DUP had outlined in relation to paragraphs (a), (b) and (c) in the draft proposal and what was in the document before the meeting. Chairman was required to consult with the delegations.

21. The DUP said that a number of remarks had been made about rule 30 and there was a need for a ruling in the matter. It said that the SDLP had contended that the Chairman was justified in putting things to a vote. But the Chairman had not consulted the participants as required by the rule before the document was placed on the table. What was required was not ex post facto consultation. Rule 30(a) meant that if the parties could not agree, the Chairman must bring forward his own proposal not, merely reproduce that of another party. There were other proposals still before the meeting on the subject, because they not in a position to respond. The party also said that

had never been taken off the table and they were not pushed aside by the tabling of joint SDLP/UUP proposal.

for some reason that the DUP/UKUP wanted to register

22. The UKUP said that where the SDLP was advising that the joint proposal was the only one before the meeting, it was quoting from another party's proposal which was still before the meeting. The SDLP said that the Chairman should take the proposals item by item and let parties speak to amendments if they so wished. The party said it had agreed to amendments to its own proposals to arrive at an agreement and the joint proposal before the meeting reflected a number of amendments by different parties. The DUP said that this amounted to an admission by the SDLP that other proposals were, in fact, on the table. It requested replies to its four questions.

produced by the Chairman's staff and this was supposed to be the

23. The Chairman said it was a matter for the participants to consider the relevant documents and the question of a possible timetable as well as the points made about the application of the rules. He quoted the provisions of rule 10 and said he had tabled the documents on that basis. The DUP said that the wording of rule 10 was such that no matter what format the meeting took, the Chairman was required to consult with the delegations. The Chairman said that he had tried to convince the delegates of his desire to protect the minority parties, but it had to be remembered the larger parties had rights to put forward suggestions also. He said he would endeavour to be as even-handed as possible in these matters. The NIWC said it initiated support for the document which was causing the problem in the belief that it would make life easier for the participants.

talks. The debate in relation to the decommissioning agreement

24. Alliance referred to earlier remarks by the UKUP against the staff members of the office of the Independent Chairmen who were not in a position to respond. The party also said that

accusations made by the UKUP against it were wide of the mark and ignored what was said. It seemed to Alliance that the only reason for continuing the debate was that the DUP/UKUP wanted to register concerns about the matter in hand. All other parties were in a position to support the joint UUP/SDLP document, but they would continue to listen to counter agreements. It was patent nonsense to suggest that debate had been stifled. That parties were present discussing the matter was evidence of that fact.

25. The DUP said that Alliance had contended that the matter could be disposed of quickly. The first document was withdrawn by the Chairman; then he submitted a joint document by the UUP/SDLP; then the UUP said there was an amended document which was quickly produced by the Chairman's staff and this was supposed to be the latest document on the agenda. It could not be that. The DUP said that if parties wished to support the proposal they could have signed it - but not as proposers of a document that was already on the table. To say, as the SDLP, did that this session of the draft agenda was the only document on the table was wrong. The DUP/UKUP did not withdraw their document; it was still on the table too.

26. The DUP also said that the SDLP maintained that the DUP and the SDLP proposals were similar. If that was the case, why wouldn't the SDLP accept the DUP proposals? The DUP document is different because it puts decommissioning as the first item on the agenda. The SDLP wanted discussion on the comprehensive agenda first because this will be the bait to bring in Sinn Fein to the talks. The debate in relation to the decommissioning agreement included not just discussion. The UUP don't want agreement as the issue as they see it now is to define the conditions for a new

cease-fire. The two documents were not similar; they were, in fact, poles apart.

27. The SDLP suggested dealing with the issue item by item and the DUP/UKUP could well be surprised as to what might be accepted by way of amendment. The party referred to the earlier DUP proposal dated 25 July, 1996 which referred to discussion of the proposals of the International Body. At this point there were interruptions and a point of order was raised by the DUP. It said that the SDLP had just referred to a DUP document which was not cleared by the party for circulation to other parties. It was given only to the Chairman's office with clear instructions that it was not to be circulated. The DUP pointed out that in relation to the decommissioning item its proposal had included a requirement that the participants work constructively to implement the proposals. The SDLP proposal, according to the DUP, referred to agreement being reached in the matter in a vacuum. The SDLP proposal, it said, was strikingly similar to that of the two Governments, the purpose of which was to avoid taking real decisions on decommissioning. The purpose of this was to bolster the programme of the two Governments. The UUP/SDLP proposals also provided for decommissioning to process "alongside negotiations in the three Strands". The DUP proposal contained nothing like that.

28. The DUP said it was strange to hear the SDLP say that it would listen to proposals for amendments because it had said in earlier private discussions that it would change nothing. There was a great division between the joint paper and the DUP document. With regard to the comprehensive agenda, the DUP said its proposal had a reference to a timetable in item 4 but the joint paper had no mention of it.

29. The DUP made the point that the two Prime Ministers had said that if their strategy was followed, based on the Mitchell proposals, the first matter to be discussed would be the address to decommissioning. But it won't. It will be moved down the agenda to follow behind the item on the comprehensive agenda. It was not clear even what that item entailed. Would there be a discussion on the various proposals; how long would that take? Would there be a need for a timetable? With regard to item 2 on decommissioning, would the discussion be limited to the proposals contained in the Mitchell Report alone or would it be open to the parties to make their own proposals in the matter which might very well be in opposition to the Mitchell proposals? The DUP wondered why the SDLP could not agree to include the words "and other proposals" in the document. The four questions asked by the DUP were not answered by either the UUP or the SDLP. The DUP wondered if the other parties who proposed the joint paper could deal with the questions. It said that the British Government had indicated that it would welcome a discussion on amendments, so perhaps it could inform the meeting whether proposals other than the Mitchell proposals could be included in the discussion. It seemed, however, that it was not the Governments' intention to grasp the nettle of decommissioning, but to vote it off the table as had been done before with the question of Articles 2 and 3 of the Irish Constitution in the previous talks.

30. Responding to the point made by the DUP about the circulation of its document, the SDLP challenged the assertion that the document in question was a secret one. The details quoted by the SDLP were given in a tabular statement from the Independent Chairmen which included proposals by most of the parties which had been submitted to the Chairman's office in July last. In examining this material and comparing it all with that in the

joint UUP/SDLP proposal before the meeting, the differences were not such as should have given rise to controversy.

31. With regard to the question of confirming the discussion to the Mitchell proposals alone, the SDLP said that it was acceptable to consider other proposals under the relevant agenda item. There was wisdom in the Mitchell proposals but there could be other shafts of inspiration and it did not wish to rule them out of consideration. The DUP requested answers on its remaining three questions. The SDLP said it had no note of them, but it wasn't a question of not answering the points.

32. The UUP said that it was clear that the document the DUP were concerned about was circulated in tabular form on 29 July last. As to the business at hand, the meeting was trying to agree an agenda, not an outcome. It was important to ensure that no one was prevented from raising any significant matter. No restriction should be placed on anyone from raising any issue outside of the Mitchell recommendations. As to the question of circulation of proposals on the comprehensive agenda, the UUP said that it would circulate its own proposals in this regard if agreement was reached on the agenda under discussion. It did not believe that a long debate would take place on the matter; that would be reserved for discussion under proposed agenda item 3 and the weight of the discussion would be taken at that stage. The genesis of this idea came from the Irish Government which had asked "How can we be satisfied that the comprehensive agenda will address a full range of issues". One way to deal with that is to circulate the proposals which the parties felt were relevant, but there would be no need to get into a long debate at that stage. The UUP confirmed that at no stage had it discussed the proposals in the joint paper with the Irish Government.

33. As regards the point about where agreement would be made, the UUP envisaged that decommissioning would be debated with conclusions being reached before moving on to deal with agenda item 3. Proposals would emerge out of a wide-ranging discussion on the issue. As to decommissioning being achieved before substantial negotiations, that was still a matter for discussion. The current proposals, the party felt, were on balance, better than those proposed in July in the tripartite unionist approach. The issue had been widened beyond the Mitchell Report. In addition there had to be agreement to move from one stage to the next. Ideally the UUP would prefer to proceed on the basis of the document it started with but that can't be possible in negotiations; other parties' views have to be taken into account. The aim was to hold on to the basic principles as far as possible without compromise. The UUP believed that the current proposal met that criteria. The document proposed by the unionist parties on 25 July had been significantly improved upon by any objective test.

34. At this point the DUP drew attention to the question of confidentiality and leaks to the media in relation to the proceedings at hand. It appeared that interviews had been given by at least two parties and it also seemed to be the case that a document was available. The thrust of the stories was that the DUP/UKUP were holding up progress at the talks. The DUP reminded parties of its "no first strike policy" in such matters. The Chairman brought order to the subsequent cross-table discussion.

35. The DUP said that the UUP had responded to its earlier questions. Would the SDLP now do likewise or indicate that it agreed with the UUP response? The DUP said it accepted the points

made by the UUP. It can support many of the Mitchell proposals, but they want to amend some and oppose others. One of the principles was total decommissioning and that will have to be addressed. The DUP then repeated its questions.

a) What was the direction of deliberation on item 1 of the proposed agenda? Was a lengthy discussion envisaged to stop the meeting getting to the subject of decommissioning?

b) At what point would agreement be reached on decommissioning? Discussion in the matter was provided for in paragraph 2(a) and implementation in 2(b). But agreement was mentioned in 2(c) so it seemed that work had to proceed towards implementation without agreement being reached first.

c) The issue of establishment of agreed machinery on decommissioning might be better dealt in under 2(a), 2(b) or 2(c) or in a new sub paragraph.

36. The DUP said it would be helpful to hear from the SDLP on these points. The UUP had taken a long time to stress the openness of the debate. If the draft agenda was to be railroaded through, what hope was there for decommissioning? If the SDLP were prepared to adopt the same approach as the UUP, they should be prepared to say so. The DUP wondered what "further progress" meant in 2(c). What was the progress that preceded it? Also why was there no mention of coming to a decision in the whole matter? This must be included under 2(a). It seemed that a discussion would be allowed, but there would be no question of a decision being taken. Sub paragraph (b) referred to "agreement on decommissioning" but there was no provision in 2(a) to arrive at an agreement.

37. The SDLP said that the tactic seemed to be to ask questions when items to be raised in a filibuster were exhausted. With regard to the question of duration in relation to agenda item 1, the party said it would have to refer back to the British Government. It was not evading the question, but it could not conceive that the issue would be dealt with in the absence of some deliberation. However, the actual time involved would be a matter for the Chairman. It could be a long time or it could be a short time. The SDLP also said that with regard to the point about acceptance of the principles of decommissioning in the absence of the actual mechanisms, the DUP had recognised the problem. This was clear from paragraph (b) in the party's proposals of 25 July, 1996.

38. The DUP said that the duration of the discussion on item 1 of the proposed agenda was a key issue. There should be no interim step between acceptance of the Mitchell principles and decommissioning. The Governments themselves had said this. If it was the intention to insert a discussion on the comprehensive agenda into the process, the party was entitled to know if time-restrictions on contributions on that item were contemplated. It was possible that lengthy contributions on the comprehensive agenda might come from the SDLP and Dublin. The British Government seemed to say that all that was involved was the circulation of documents preceded by short statements, but the SDLP said that it could take a long time. This set off alarm bells in the minds of the DUP. Agreement had to be reached on the matter before people can work constructively. The party's final question for clarification had to do with the establishment of agreed machinery for decommissioning and it wondered whether that matter should not be part and parcel of agenda item 2.

39. The response of the SDLP was that it could not tell what the position would be in relation to the duration of the discussion on the proposals for the comprehensive agenda. That was the responsibility of the Chairman. It was a matter that would be discussed twice - under item 1 and item 3. With regard to the last point by the DUP, the SDLP said that the principle has to be agreed before the mechanisms, and it was prepared to discuss the matters in full when either the DUP/UKUP put down amendments to what was proposed or when the proposed agenda became a reality.

40. The DUP said all it wanted to know was whether, in the view of the SDLP, decisions would be taken under paragraph 2(a) or paragraph 2(b). Had the SDLP any objection to providing for agreement to be reached under 2(a) so that it was clear what was involved when the discussion moved on to consider 2(b)?

41. The SDLP said it had no crystal ball to see what the picture was in the matter. The position was that serious proposals were on the table which were the results of tedious bilateral discussions. The DUP should put down amendments so that the points at issue could be resolved.

42. The Chairman said he was adjourning the meeting for a short break at 22.02 to resume in about a half hour.

Independent Chairmen Notetakers
25 October 1996

OIC/PS27