

SUMMARY RECORD OF OPENING PLENARY SESSION -
TUESDAY 16 SEPTEMBER 1997 (14.09)

Those present:

INDEPENDENT CHAIRMEN	GOVERNMENT TEAMS	PARTIES
Senator Mitchell	British Government	Alliance
Mr Holkeri	Irish Government	Labour
General de Chastelain		Northern Ireland Women's Coalition
		Sinn Féin
		Social Democratic & Labour Party

1. The Chairman convened the meeting at 14.09 and reminded everyone that, at yesterday's plenary session, both Governments reported on the status of their discussions with other participants to ensure the process was truly inclusive. The Chairman recalled that during that session some participants had requested a full briefing from the Governments on the contents of the procedural motion. The Chairman added that the Governments had now requested an adjournment until 18.00 to enable this earlier request to be met and so provide the participants, in either bilateral or other formats, with a detailed report on the status of the procedural motion and related matters. The Chairman said that this request for an adjournment seemed to be a reasonable one in the light of all the circumstances and he hoped the participants would agree with his analysis. As usual, however, he wished to provide the opportunity for any of the participants to comment on the adjournment request or any other aspect of the process.

2. Alliance said it was glad to hear that both Governments were continuing with their efforts to achieve inclusive talks, though it expressed regret that some participants now appeared to be creating obstacles, rather than moving towards attendance. However this

issue was for the Governments to grapple with. Alliance added there was now, in its view, a further problem for the process. The explosion in Markethill at lunchtime was evidence that there are those who wished to damage the talks. The party said that such an incident necessitated a statement being issued expressing (a) condemnation of the attack, (b) the view that it was a deliberate attack to halt the process and (c) the determination of all participants to continue with the process. Alliance said that such a statement, which it recommended should be in the name of all the participants, and capture the sentiment expressed in paragraph (d) of the Mitchell Principles, thus binding everyone to its contents, should issue today since it was both appropriate and necessary. Alliance said it might be that a form of words devised by the Chairmen could be used, but the important point was that any statement must make reference to those who sought to destroy the process as well as the participants' commitment to the principles of democracy and non violence and the opposition to any effort from others to use force.

3. Alliance then referred to the circulated UUP indictment of Sinn Féin and said it took the same view on this as it had done with the DUP submission yesterday. In other words if people wished to pursue an indictment they had to come and cross examine those under scrutiny in a Plenary session. No one else could or should do it for them. Despite the fact that the UUP, in Alliance's view, was still a participant, the party said that this formal representation had to be treated in the same manner as the DUP's. Regarding the request for an adjournment, Alliance said it was content for this to occur but expressed its desire for the day not to pass without comment being made on other events.

4. The SDLP said it had no problems with participants expressing their own views on today's incident. But it was concerned about the precedent which would be set if a binding statement was issued from the talks body itself. The party said that no such collective statement had issued since the commencement of the process, despite many other incidents, and it therefore proposed that the previous practice continue whereby individual participants offered comments and left it at that. The SDLP said it felt that if such a precedent was created it could be abused further down the line.

5. The NIWC shared the SDLP's view. If any comment on the incident was to issue then it should focus on the need to redouble everyone's efforts to include all participants around the table. A positive message had to come out in any such statement since the explosion itself was obviously designed to work against the process. The NIWC said it didn't like collective statements and preferred to comment on the issue as an individual participant.

6. Sinn Féin said it had already issued a statement on the explosion and would make it available to the other participants in due course. The party said it had, in this statement, expressed similar sentiments to those of the NIWC that here was an incentive for political leaders to get round the table and move the process forward. It shouldn't be used as an excuse to be absent from talks. In terms of the adjournment, Sinn Féin said its position was that the UUP stance presented a very difficult precedent for the process since it (the UUP) was currently negotiating from outside the conference room. There was considerable concern that the UUP was, in fact, seeking to re-negotiate a proposal from the outside which no one else had yet seen. Sinn Féin said that all of this might be fine so long as the process knew, without any doubt, that the UUP were coming in or at what day or time the UUP would be

present at the table. Sinn Féin said however that if the current position went on and on the process could be whittled down in terms of public confidence.

7. Sinn Féin added that it hoped it would also get the chance to talk to Alliance regarding yesterday afternoon's media interviews. The party then asked why did everyone have to go off for four hours for briefings to occur when surely a five minute summary would suffice.

8. The Chairman said that the purpose of the briefing was to give a detailed explanation to each participant and invite comments and suggestions from each, much along the lines that had been requested the previous day. The Chairman said that as regards the mechanism for carrying out such a briefing, there were times when some participants favoured bilaterals and other times when a plenary was favoured. Neither format was right or wrong but it was a matter of choosing which format achieved the desired objective. The Chairman said the Governments had suggested bilaterals and while the process could debate the different mechanisms, the request itself appeared to be reasonable and, in the absence of any powerful argument against, he would grant the adjournment. The Chairman reminded participants that he could and did grant adjournments subject to the rule governing such a mechanism not being abused. He said he didn't believe the Governments had abused it.

9. In relation to the proposed collective public statement, the background to which he recalled, the Chairman proposed a further solution. As the three Chairmen were closely associated with the principles of democracy and non violence, he proposed that they might issue a suitable statement. The Chairman said he had issued previous statements condemning the use of or acts of violence and

if a statement was made from this "neutral" position and in that form, it would still permit individual statements to be added to this.

10. Alliance said it didn't accept the earlier view that Markethill was just another event. People were closing their eyes to reality if they thought this was the case. This incident did not relate to the situation of the last 12/15 months. Alliance said that some of the participants had already spoken of the incident as an act against the talks and that everyone had to redouble their efforts to achieve inclusive talks and move the process forward. Alliance said this was fine and it had no problems with a statement from the Chairmen themselves. But it was concerned about the position whereby if each participant didn't collectively speak out against the explosion, this could raise the possibility of future indictments being presented against them.

11. Alliance said it was looking for something which bound everyone together in the face of those who were presently outside the process. The party said that if some participants felt that everyone couldn't reach a common position in the room on this issue what sort of signal did this send to those viewing the process from outside? Alliance said that it didn't believe the format of the Chairmen's proposed statement would suffice. As to the issue of 15 September interviews raised earlier by Sinn Féin, Alliance said it would be happy to meet that party later to discuss it. On the same issue, Alliance said it had also listened to the British Government's summary of yesterday's business and as far as the party was concerned, this was a total misrepresentation of its position. Alliance said the whole issue needed careful examination although it remained firmly of the view that its earlier proposal to permit TV coverage of the proceedings had gained much greater

emphasis in the last 24 hours than previous and still provided the best solution to the current problems.

12. Sinn Féin said it wished to discuss remarks that the Alliance leader had attributed to its leader in a TV interview following yesterday's Plenary. The party said that, although this was not an example of good faith, its main concern was the negotiations, and it would raise the issue with Alliance at a private meeting.

Alliance said yesterday's proceedings had been about bad faith, and today there had been a bomb, which was further evidence of bad faith on the part of some. It said it agreed with Sinn Féin's comments about the circumstances of the UUP's entry to political negotiations.

13. On a point of order, the Labour party said that remarks should be addressed to the Chair, with which the Chairman concurred. Alliance said that it was not via the Chair but via Glengall Street that comments were being made. It agreed with Sinn Féin on this point, but did not accept its accusations of bad faith, and would discuss these with Sinn Féin when they met privately. The Chairman said he would call the British Government and then the Labour party to speak.

14. The British Government said that, in an effort to facilitate rather than prolong their discussion of the Alliance proposal, it suggested that the Chairman express in a statement the opposition of all the participants to the bomb attack at Markethill, and their determination to press ahead and make progress in the negotiations. Although this would fall short of the Alliance proposal, it would be a fair representation of all their views, and was closer to a collective statement than a series of individual statements by the parties.

15. The Labour party thanked the two Governments for undertaking to brief participants during the adjournment. However, it was not unreasonable to ask whether the prospect of doing any business if the Plenary resumed at 18.00 was likely. It said the ongoing negotiations with parties outside would not result in their attendance at 18.00, and asked whether the Plenary could not adjourn until the following week, when it would get down to business. Otherwise it feared the process would be sending out a message that the talks were unable to make progress as over the past year, and were in danger of losing credibility.

16. The SDLP accepted the reason why the two Governments wanted to adjourn was to brief the participants. However, without discounting the value of bilateral discussions, it questioned whether there would be any business for a further meeting of the Plenary that evening. Turning to the Alliance proposal for a collective statement, the SDLP said it was important that everyone adopted a consistent approach to all matters in the talks process. It restated that a joint statement had not been issued on previous incidents of loyalist or republican violence. Instead statements had been issued by the Chairmen and individual parties, instancing the bombing of Thiepval Barracks. Such a course had been adequate then, and was appropriate now. It expected that the issue would arise again when the UUP entered the negotiations.

17. Sinn Féin agreed with the SDLP. It said acts of violence by the British Army were being dismissed. It said Alliance appeared to be intent on attacking Sinn Féin. While this was of course legitimate, it said it would refrain from doing the same with Alliance or anyone else. It said it would raise the issue of British Government violence with Alliance in their bilateral

meeting. Sinn Féin said that it wanted to see the UUP at the negotiating table, but the unionists should not be allowed to renegotiate any of the rules or procedures. This was a major cause of concern for Sinn Féin. It said the UUP were looking for concessions in return for entering the negotiations, and the two Governments were aware of this. The party said the public were looking for guarantees about the commitment made to launch the political negotiations on 15 September.

18. Alliance said it would not pick up on the points made by Sinn Féin, as it felt other participants did not want it to prolong the debate. It said the British Government's suggestion of a statement by the Chairman was not the same as its suggestion for a collective statement. It said that if all the participants could not subscribe to a statement it would be worthless. Alliance said that its previous advice on how the UUP would react to particular developments had usually been sound. If there was no collective statement now, the UUP would indict Sinn Féin when they took their seats in the negotiations. This was clear, and that process must take steps to avert it. Alliance said the process faced the reality that, being dependent upon securing the agreement of everyone, it must determine what it would do if that agreement couldn't be secured. It said if the process did not deal with this problem then, accordingly, it might have to be abandoned to secure sufficient consensus in another way.

19. The Chairman asked if there were any further comments. He said it was unlikely that discussions would be completed by 18.00. The adjournment was to allow discussions like the one which had just occurred, and that, therefore, a resumption of the Plenary was not now necessary. He recommended the Plenary adjourn until the following day unless the two Governments wished to suggest

otherwise. Regarding the collective statement, he observed that there had been some objections and so he would not issue one on behalf of the participants. However, he could still issue his own statement.

20. The Irish Government said it appreciated the frustration felt by the participants, and paid tribute to the work of the Chairmen. It suggested that the two Governments use the bilaterals planned for the afternoon to determine whether there was a need to reconvene the Plenary later that evening. This could be done at the call of the Chair, guided by the views of the participants. The Irish Government said it hoped there would be business to conduct at 18.00.

21. The Chairman suggested the Plenary adjourn, to resume at the call of the Chairman, either at 18.00, or the following day. The Chairman's Office would inform participants as soon as possible which course of action was being adopted to obviate the need for participants to hang around unnecessarily. The Irish Government said the decision would be guided by the outcome of the bilateral meetings.

22. Sinn Féin said this was fine. It said it was good that the two Governments were trying to get the Unionists into the negotiations. However, it had to ask how long the process had to wait for this to happen. It said that the failure to start substantive negotiations on 15 September was just about acceptable, but the failure to do so today was damaging to the process. It said the Secretary of State had said a line must be drawn in the sand at some point, and David Trimble must eventually give a date for his party's entrance to negotiations. Sinn Féin accepted that this must be particularly frustrating for those involved in the

efforts to bring the UUP into the talks. What it was wondering was how it would present the day's developments to the public, and asked whether there was a danger of returning to a twin-track process. The party said it had been buffeted by talk of Tony Blair's settlement train, and wanted to know how to describe events truthfully.

23. The British Government said it could discuss this in a bilateral meeting. The Chairman then adjourned the meeting at 14.46, to resume at the call of the Chair.

Independent Chairmen Notetakers
22 September 1997

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