

SUMMARY RECORD OF OPENING PLENARY SESSION -
WEDNESDAY 17 SEPTEMBER 1997 (17.09)

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 17.09 and said there were three items to be discussed, followed by any other issues the participants wished to raise. These were: (1) the two Governments' procedural motion; (2) the handling of the formal representation made by the UUP; (3) a new issue of whether minutes of the Plenary should be circulated to parties who were not presently participating. Regarding the first item, the Chairman said he had been advised by the two Governments that, following the day's bilateral meetings, the proposed statement, which was read aloud, be approved:

'The participants in today's plenary noted that intensive work, led by the two Governments, would continue on an agreed procedural mechanism to complete the Opening Plenary and launch the three-stranded negotiations, and that, to that end, the Governments intend to table a procedural motion on Wednesday 24 September.'

2. The Irish Government thanked the participants for their cooperation today. It said the motion was a result of the bilateral meetings, and the two Governments' best judgment on the

way forward. It said it appreciated the frustration felt by all, both at the delay and the circus taking place outside. The Irish Government said a great deal had been achieved with the presence of the UUP and the loyalist parties in Castle Buildings, and it acknowledged that achievements in the negotiations were being overshadowed by events taking place outside. It accepted that it was the wish of many to move on to the procedural motion. Some wanted to see it tabled today, while Sinn Féin had proposed an amendment to table it on Monday 22nd. The prize was inclusivity in the present format of negotiations; the two Governments' resolution was their best assessment of how to proceed. The Irish Government commended it to participants and asked for their support notwithstanding their natural sense of frustration and desire to move on immediately.

3. The British Government concurred with the Irish Government. It said they had tried to start political negotiations on 15 September, and shared the sense of failure. The British Government wanted inclusivity. Wednesday 24 September was only two days after Monday 22nd, and a week after today. It was setting a date on which the procedural motion would be tabled, and hoped this was a sufficient conclusion to prevent a procedural wrangle.

4. Sinn Féin proposed two amendments: to substitute Monday for Wednesday, and to replace 'intend to table' with 'will table' in the two Governments' resolution. It was withdrawing its own wording. It said there were a number of issues. It agreed with the SDLP position that the procedural motion should be tabled before the Plenary turned to the UUP indictment of Sinn Féin. The party said participants should bear in mind that David Trimble had yet to say he would be present. From its perspective, the party said it was being asked to go through another indictment and then

the procedural motion. The content of the motion had already been spelled out by the Taoiseach and the Prime Minister and yet there was still no guarantee that David Trimble would turn up.

5. Sinn Féin said the present process had begun three years ago, and the previous opportunity had been wrecked by the way it was processed. It urged that the procedural motion be tabled on Monday. If on Monday the two Governments were still not in a position to go ahead then the Plenary could deal with that problem if it arose. It urged against the first business of next week being an indictment by a party which then left. Sinn Féin said everyone shared the same objective, which was quite unique. But it believed there was tactical merit in its proposal that the procedural motion be tabled on Monday instead of Wednesday.

6. Alliance agreed with Sinn Féin. It said it was important for the process to go on and, while there were some things they could not do because of the requirement to secure sufficient consensus, such as come to a decision on the procedural motion, they could go ahead and table it. The party believed that, if agreement had not been reached between the two Governments and the UUP by Monday, the procedural motion should be tabled then. The UUP, knowing this, could then choose to turn up. If it did not, the Plenary would not be able to vote on the motion, but they could consider it. It could be that a delay would occur while this was happening, during which there might be amendments by the UUP or the loyalist parties. But the process should not delay further at this point just to satisfy the UUP.

7. Alliance also agreed with the question of tactical merit voiced by Sinn Féin. The procedural motion should be tabled before the indictment. The Chairman was considering the timing of the

indictment. Alliance recommended some form of time limit be imposed on the proceedings. It also said it would be helpful if the two Governments could indicate how promptly they would give their response to the UUP indictment. The party feared some participants might be tempted to hold up progress on all other business until they knew whether Sinn Féin would be continuing in the negotiations. Returning to the procedural motion it repeated that, even if the procedural motion was not agreed with the UUP by Monday, it should at least be open to the Plenary to allow for the studying and discussion of it. Therefore, it wished to support what Sinn Féin had said.

8. The NIWC recalled an allegation the UKUP had made that it was the nodding dog of the two Governments. This was not the case today. The NIWC said it wanted the procedural motion tabled on Monday. It was important that the indictment against Sinn Féin did not come before that. The party said all of the participants had had sight of the document, and said it knew other participants had put amendments to it. It noted that everyone had entered a new term in the negotiations, and urged that they start work next week. Everyone had to put an end to the to-ing and fro-ing. The UUP would be able to cope if the procedural motion was tabled on Monday and, if its mandate was to be believed, it would enter the negotiations.

9. The SDLP sought the advice of the Chair. It understood that, once put, the procedural motion could be amended. But it asked whether Plenary could determine when a participant tabled its own motion. At the Chairman's request, the SDLP clarified its question, saying it believed the procedural motion belonged to the two Governments and thus, it followed that it was up to them alone when they tabled it. Was the interpretation correct?

10. The Chairman said the two Governments were trying to accommodate all of the participants, but it was clear that some participants could not be accommodated. He said one participant could not tell another when to do something. The Chairman said the two Governments were seeking support for a statement of their intention to do something. At present the Governments were looking for support for their motion. But three participants wanted to change its contents. It was quite clear that the participants could withhold their support or acknowledgement of the two Governments' intention to do something. The business of the

11. On a point of order, Sinn Féin said it had tabled an amendment because the resolution was put in the name of the participants. Therefore, it felt entitled to amend the resolution. The Chairman said the question of support was best dealt with informally. He questioned whether a vote now could achieve sufficient consensus. They were all trying to move ahead, and urged participants to avoid legal or technical wrangling. The two Governments were seeking to get the participants to support their stated intention and, in the absence of their support, the issue would probably fall. Chairman

12. The British Government agreed with the SDLP and Chairman regarding the ownership of the procedural motion. The two Governments had consulted and agreed that Wednesday was the best day to table their motion. The participants could table their own motion if they so wished. It said the talks did not consist of the Plenary alone. On Monday there would be meetings, and a Plenary if participants wished to discuss other matters. The Labour party said it believed the procedural motion should be tabled on Monday. It was important that the process be seen to move on, and the question of the motion and the indictment were inter-related.

13. Alliance observed that, as the Business Committee was not sitting, it fell to the Plenary to determine the order of business. Therefore it was right for it to decide when the procedural motion would be tabled, and when the indictment would be heard. The content of the motion was a different matter. It said the participants felt the real debate about the procedural motion and all amendments was taking place with the UUP alone. The only proper way for the rest of the participants to become involved was if the motion were tabled. Monday would suit this, with a debate and vote taking place at a later stage. The business of the Plenary was being discussed; accordingly it was proper for them to express their views on the order of that business.

14. The Chairman said Alliance was quite correct regarding the Plenary as a whole. If everyone agreed then this would be fine, but the two Governments did not agree. He suggested that there was no basis for the four participants to compel the two Governments to take a course of action the latter did not wish to follow.

Alliance said this meant the message the process would be sending out was that the participants were unable to agree. The Chairman agreed could be taken with this analysis and added that no further action on this matter in the present scenario. Sinn Féin asked whether a short adjournment would be helpful at this time. The Irish Government observed that Alliance had referred to the process being divided. After working so hard together, it urged participants to show unity of purpose. It was a question of how they achieved their stated goal - a question of technique and not of principle. It suggested a brief adjournment.

14. The SDLP said this was a circular debate. If it were up to the SDLP, it would table the motion tonight and get on with the

matter in hand. Nevertheless it would agree to an adjournment. Perhaps the two Governments had good reasons for not wanting to table their motion before Wednesday. If they did they should share them with Plenary. Equally so, if they did not have a particular reason they should also tell the Plenary. At this point the Chairman adjourned the plenary at 17.45, to reconvene at 18.05.

Labour
Northern Ireland Women's Coalition
Sinn Féin
Social Democratic & Labour Party

Independent Chairmen Notetakers
22 September 1997

OIC/ps81

The participants in today's plenary noted that intensive work had been done by the two Governments on an agreed procedural resolution to be tabled at Thursday Plenary and that the three original resolutions, and that, to that end, the Governments agreed to table a procedural motion on Wednesday 24 September.

The Chairman thanked the participants for their cooperation today. It was noted that the day's work had been a success, and that the two Governments had agreed on the bilateral meetings, and the two Governments had agreed on the