

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
MONDAY 25 NOVEMBER 1996 (12.10)

Those present:

Independent Chairmen	Government Teams	Parties
Senator Mitchell	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 12.10, stating that the first business of the day was the approval of draft records from previous plenary sessions. The Chairman having read out a list of those minutes requiring approval, asked the participants for any corrections or amendments to these.

2. The UKUP said it wished to raise a couple of minor points, one of which related to the session on 4 November beginning at 13.10. The Chairman stated that this wasn't one of the records which he had read out as requiring approval. The UKUP said it appeared that this record had only been circulated that morning. The DUP asked whether it was possible for some extra time to be given to it for consideration of the draft records as one member of its team had been unable to study the texts due to an ongoing serious family illness. The Chairman asked whether there was any objection to this. The remaining participants agreed to the DUP request.

3. The Chairman said that the approval of the draft records would be postponed until the next plenary session. At the same time he would ask his staff to check on the position with regard to the record mentioned by the UKUP and its apparent late circulation. The Chairman moved on, commenting that extensive discussions had already taken place on decommissioning and additional papers had recently been submitted by some participants and circulated to the remaining delegations. The Chairman said he wished to invite comment from the participants as to how the process should proceed but, before doing so, offered the following suggestion.

4. The Chairman said he had been advised that a number of bilaterals had been scheduled for later that day and during Tuesday. It was also the case that both he and General de Chastelain wished to meet with each of the participants to see how the process could go forward from the present position. In view of all of this, the Chairman suggested that it might perhaps be best to postpone the plenary meeting until Wednesday morning. He then sought comments on this suggestion.

5. The UKUP said it was becoming increasingly concerned with the delays which were occurring in reaching a determination on decommissioning. The party said it was opposed to another series of bilateral and trilaterals outside of the plenary process. The party had not had the benefit of participating in the previous bilaterals and this type of mechanism was therefore viewed by it as a waste of time. The party stated that it wished, at this stage, to propose that the process now reach a determination on decommissioning, since it was evident from the recent set of papers

submitted by the pro-union parties that they had, independently, identified a set of common core principles on which there was broad agreement among pro-unionists in relation to the conditions of entry of Sinn Fein into the talks. The UKUP said these principles had been highlighted at the previous plenary session on 18 November but were worth reiterating. Firstly, any declaration of a cessation of violence must be complete in nature and permanent in its duration. Secondly, such a declaration must be immediately followed by the handing over of a significant amount of arms as clear evidence of good faith. Thirdly, the process of decommissioning could not be dependent on any political progress. Decommissioning must continue independently of any political development until such decommissioning was complete. Fourthly, both governments must have their enabling legislation and regulations passed to create the structures and methodology required for actual decommissioning before Sinn Fein could enter the talks. Lastly, all parties should be bound by the terms which already bound those parties present in the talks process.

6. The UKUP stated that these were all clearly identifiable elements from the pro-union submissions of two weeks previous. The party now wished to table a motion which had already been prepared and, following circulation of it to the remaining participants, proposed that the process take a vote, in plenary, on its contents. The UKUP stated that it was up to each participant to decide what they wished to do or say regarding the motion. Whatever was said or decided about it, however, it did set out the position of the pro-union parties in clear and unambiguous language in so far as it represented the principles which must be adhered to in allowing others into the negotiating process. The UKUP said that much had been made of a previous British Government statement that the talks

process was "the only show in town". The distressing thing which recent events appeared to show was that the talks process was not "the only show in town", because the negotiations between the British Government and Sinn Fein, with the SDLP leader acting as an intermediary, had actually become "the real show". The UKUP said it would not countenance any sort of arrangement which the British Government/Sinn Fein negotiations spawned. The party said the time had come for both governments to decide whether the important negotiations were those going on in Castle Buildings or whether they were those occurring between the British and Irish Governments, Sinn Fein and the SDLP. This was why the party wished to put down the current motion and have it debated and voted upon. The motion was entirely based on democratic procedures and the holding of such a debate would determine the commitment to democracy which was actually present within the talks process. The UKUP stated that if the process wasn't committed to democracy then it would have to consider whether it remained at the table or not.

7. The UUP believed it was appropriate to return to the bilateral mode, as had been indicated by the Chairman. Some small progress had been made in previous exchanges and it seemed prudent to avoid a vote, such as that proposed, until the bilateral/trilateral process had been completely exhausted, which was not yet the case. The UUP said it had some sympathy with the UKUP's comments regarding the "other show". The party commented that as soon as the other show was resolved, and its resolution placed in the public domain, the better it would be for all concerned. Such a situation might conceivably make it easier to reach agreement on decommissioning, although this remained to be seen. Returning to the original issue, the UUP said it was better to adjourn the plenary until Wednesday morning, or at the call of the chair, in

order to facilitate bilaterals, some of which were already arranged for that afternoon.

8. Alliance said that it believed the UKUP's earlier views on the "other show" had some credibility. The talks process, however, was the only show in town and it was important that this was not lost sight of. The party said it had been involved in previous bilaterals and some other meetings had been arranged for later in the day. It was therefore appropriate, in its view, that these should proceed. Alliance stated it also welcomed the Chairman's earlier remarks about meeting each of the participants in turn. It also supported the Chairman's suggestion that an adjournment should now take place. The SDLP said it favoured the suggestion of an adjournment and further bilaterals in advance of another plenary on Wednesday morning.

9. The DUP stated that the plain fact of the matter was that there was another show in town. Anyone who had their ear to the ground at all knew that talks were going on between the governments and Sinn Fein. The DUP said that in the past Mr Hume and Mr Adams had come to an agreement following their first round of discussions. No one had actually ever seen the contents of this agreement, but it had led to the Downing Street declaration. The DUP said that following the declaration there had been a great argument between Mr Hume and Mr Adams as to whether the document contained everything that Sinn Fein had been looking for. The party said now Hume/Adams mark 2 had appeared and the British Government was presently considering the contents. While it was not possible to know what the latest discussions contained, the DUP said that the conditions were to all intents and purposes spelt out in a newspaper article of that day. The party read out an extract

at this point. Such information allowed participants to have an idea of what message was being conveyed by Mr Hume to the British Government and evidently negotiations between the two sides were in train.

10. The DUP said it was for this reason that the talks process had to come to a decision now. Did it wish to act on the mandate it had been given or did it wish to wait and see what the "other show" in town was going to come up with? The DUP continued saying that Sinn Fein had deliberately stayed outside the talks process as well as the NI Forum. Yet it continually told everyone that it was dedicated to the democratic process; but where was the actual evidence to back this statement up? Sinn Fein knew how to get into the Forum and the talks process. There was a common entry for all into the latter body, but Sinn Fein appeared to want some sort of special entry. The DUP then asked why had all this come to the fore at this stage? The answer lay in the fact that the pro-union parties wanted both Governments to be honourable in discussing and addressing decommissioning at the beginning of the talks as well as in reaching a determination. The DUP said that instead of this, all that the pro-union parties had received was a fudge. Decommissioning was again being put on the long finger while discussions were held on political matters.

11. The DUP referred to the Chairman's original suggestion of an adjournment. The party said this was a further example of the fudge and it simply put off the evil day for taking a decision. The party said it was surely easier for the British Government to take advice from the participants of this body rather than hold clandestine meetings with Sinn Fein. Furthermore it must also be right for the talks body to decide on the conditions for Sinn

Fein's entry. The party said that while the UKUP motion was not totally identical to its views or those of the UUP, common principles had been identified by all three. The DUP said that if Sinn Fein was attempting to set a timescale for its entry into the talks, as appeared in the newspaper article, then why shouldn't the talks body also make a determination on the issue at this point? The party said that if an adjournment was carried, then this didn't allow for the UKUP motion to be taken and hence a determination reached. If a vote was taken and the motion discussed then why shouldn't all documents on decommissioning be debated? At the end of the day, stated the DUP, the decommissioning issue was one which affected everybody. The party said it was better to come to a determination now. The alternative was to allow the "other show" to be the main focus and this would allow the talks process to be left in a vacuum.

12. The UKUP said that it would like to recap on the circumstances which led to the present stage of the discussions on decommissioning. First, there was the oral debate; then it was decided that the Business Committee would not have a role in organising the business relating to the discussions on decommissioning; this stage was followed by the submission of written proposals which had been available for some three weeks; then there was a deadline for the submission of more restricted proposals and this was followed by a further two weeks of bilaterals. After all of this, the party said, we were no further on in the process. Everyone knew all the issues involved and the declared position of all other parties. However, running in parallel with these developments were the discussions between Sinn Fein and the British Government through the auspices of the leader of the SDLP. The UKUP said it seemed that there was a deliberate

attempt to keep this stage of the talks process going until it was overtaken by these other discussions.

13. The UKUP stressed that the terms of entry into the talks and decommissioning were so inter-twined as to be indivisible. Accordingly, the party said that it wanted the Plenary to consider the motion prepared by the UKUP on the principles of decommissioning to allow the parties to move on to discuss structures, the Commission and the actual terms of decommissioning, and it formally moved that the Plenary meeting should continue in session for that purpose. The party proposed an adjournment to 14.00 to allow the other delegations time to consider the UKUP motion, at which stage the Plenary would resume to decide whether to proceed on the basis of the motion or adjourn until Wednesday as the Chairman had earlier suggested. At this point, the Chairman informed the parties that the text of the UKUP motion was being circulated.

14. The UDP said that it took the view that the sensible way to move forward was to allow bilateral meetings to continue. It was in no one's interest to see the process stalled and the UDP certainly did not wish to see it stalled to facilitate any arrangement which might be reached with Sinn Fein. It was a matter for the parties themselves to manage the talks process and, accordingly, it was desirable to take whatever action was necessary to advance agreement. But, the UDP said, the UKUP proposal did not facilitate that objective. If a vote was forced on the motion and sufficient consensus was not obtained, the parties would fall back on bilateral meetings in any event.

15. The UKUP asked would it not be possible to debate the motion first and then, if there was no consensus on it, the parties could go back into bilaterals. It seemed to the UKUP that the UDP was suggesting that the motion should not even be discussed. The UDP said it was not making that suggestion and it was open to the parties to decide how they wished to proceed, but there was also a need to recognise that the potential of further bilateral meetings on the decommissioning issue may not have been fully exhausted.

16. Alliance said it shared the concern for the matter to be addressed seriously and urgently and it felt the best way to do that was through the medium of bilaterals. The party also said that it understood the position to be that the Chairman had earlier made his proposal as to how to proceed. That proposal was before the meeting and it should be voted on. Alliance said it would not like to see a precedent established to compel a debate to take place. The Chairman clarified the position by stating that he did not present the matter in the way suggested by Alliance. He said he had made a suggestion, it was not a motion or a proposal. He was following his usual practice in this regard. The Chairman also added that the UKUP had suggested an adjournment to 14.00 at which stage the meeting could take up the UKUP motion. He said the question on which a vote could be taken could be framed so as to accommodate the various positions, and he proposed to do that at the appropriate stage in the debate.

17. The DUP asked Alliance whether it agreed with the position adopted by its own leader which was that Sinn Fein had put themselves outside of the talks and that the talks should proceed without them. The DUP also said that Alliance seemed to take the view that the parties could not make proposals. Alliance said that

it agreed completely with the position adopted by its leader and that the Plenary group should proceed to address the substantive matter of decommissioning. The PUP said that it noted earlier remarks by the UUP that progress had been made in recent bilaterals. Adjournments of Plenary meetings had been granted before, so why not adjourn the proceedings to facilitate further bilaterals. The PUP formally proposed a motion to adjourn on the lines as previously suggested for consideration by the Chairman.

18. The UUP said it too agreed with the suggestion by the Chairman and it endorsed the proposal by the PUP. The UUP stressed that this did not mean it was in any way reluctant to reach a determination on decommissioning. It wanted to advance that process by having further discussions take place between the parties. The party said that until such stage as the prospect of progress in bilaterals was exhausted, it viewed the motion put forward by the UKUP as premature. Alliance said that bilateral discussions were the most helpful way of proceeding on the issue.

19. The DUP said the procedural position should be clarified. It seemed that the UKUP had made a proposal; the Chairman had made a suggestion and the PUP had proposed an amendment to the UKUP proposal. The Chairman said that he would frame the question for a decision at the appropriate time. The British Government said that it did not think that a basis for moving forward had been identified. Bilateral meetings could make progress and it supported the position adopted by the UUP that it was premature to proceed as proposed by the UKUP.

20. The Chairman said that the question was whether to adjourn the Plenary meeting to 14.00 and then return to take up the UKUP motion, or to adjourn until the following Wednesday 27 November 1996 to allow bilaterals to take place in the interim. Two parties, the UKUP and the DUP had supported the former proposal, the Chairman said. Support for the latter proposal had come from the UUP, Alliance, SDLP, UDP, PUP and the British Government. At that point the Irish Government said it shared the view of the British Government; Labour and the NIWC both said they also favoured reconvening the Plenary meeting on Wednesday to facilitate bilaterals. The Chairman noted that seven parties and the two Governments had a preference to adjourn until Wednesday. The only matter for decision was whether the time should be 10.00 as he suggested or 12.00 noon as suggested by the PUP. In the event, 11.00 was agreed as a starting time.

21. The UKUP asked whether the process of adjournments would go on indefinitely. It said that if the parties involved were honest and frank with themselves, they would have to admit that bilaterals/trilaterals would produce nothing unless some parties were prepared to move from entrenched positions. The UKUP wondered what would happen at the resumption of the Plenary meeting on Wednesday. Was it the case that no decision would be taken until Sinn Fein and the British Government and the leader of the SDLP decide on what was going to happen? It seemed that the parties who were fronting for the paramilitaries seemed to have the power to determine when the matter was closed. The PUP said that it seemed another debate was beginning. The DUP said that the parties seemed to have come to a decision to put decommissioning on the long finger again. By postponing it a message was going out that the most important talks were those which were taking place between the IRA and the Prime

Minister. The DUP said that that situation should be made known to the public at large. At that point Alliance queried whether the rule on confidentiality still stood. The UKUP said that the document containing the motion was the UKUP's own document and it intended to place it in the public arena. The DUP said it had already been decided that there was no breach of confidentiality involved in a party publishing its own document.

22. The Meeting adjourned at 13.03 to 11.00 on Wednesday
27 November 1996.

Independent Chairmen Notetakers
28 November 1996

OIC/PS50