

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION - ke this role with
TUESDAY 4 FEBRUARY 1997 (12.12) the plenary - perhaps in a week's time.

Those present: February, 1997.

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 (Mr Holkeri) called the meeting to order at 12.12. The minutes of the previous meetings on 27 and 28 January, 1997, were approved without amendment. The Chairman said that when the group last met in plenary format, it had been agreed to adjourn until 4 February, in order to allow further intensive bilateral contacts to take place. The Chairmen were aware that in that period a number of useful and valuable contacts had taken place. The Chairmen also had had bilateral contacts with the participants. He then invited each participant to offer its views on how, in the light of whatever bilateral contacts each had had, they might now best take the process forward.

2. However, before doing so, the Chairman said he wanted to record the fact that a number of participants had asked the Independent Chairmen to play a more active role in undertaking consultations with all the participants so as to take stock of the current situation and establish how best to make progress. Subject to the views of the participants, the position was that the

Independent Chairmen were very willing to undertake this role with a view to reporting back to the plenary - perhaps in a week's time, on Tuesday, 11 February, 1997.

3. The Chairman said that he wished to record that proposal because it had been proposed by more than one party. He invited participants, in the course of their remarks, to comment upon it. However, if there were other avenues of progress, he said that the Chairmen would be very willing to explore those as well.

4. The UKUP raised a preliminary question as to the identities of the parties who had proposed a more active role for the Chairman. The Chairman said that the issue was raised by a majority of parties, but he would take the views of all parties into account. The DUP returned to the matter and said that the previous week Alliance/SDLP/UUP were to let it have sight of a document; they didn't. Such behaviour, the DUP said, was not conducive to mutual trust. It had wanted to see the paper for the purposes of having a discussion and it also wanted that discussion to be minuted. The DUP also said it regretted that the Irish Foreign Minister was not present as it wanted to raise the matter of the interference of the Irish Government in relation to the publication of the North Report on Parades and Marches. It further regretted the absence of Senator Mitchell because it wished to discuss with him the White House statement urging the immediate implementation of that Report. The DUP said that these remarks were ill-judged and it would take up the matter at a later date with the Senator. The Chairman said that the following tour de table would help provide answers to the questions posed by the UKUP and the DUP.

5. The SDLP said that at the previous week's plenary a number of parties had suggested that they would like to see the Chairmen

provide more pro-active leadership (in circumstances where it was not being provided by others). This was a matter which had been raised publicly in open plenary session. Several of the parties were of the same opinion, so why was there now a mystery surrounding the subject? The DUP said that it hoped the other parties would identify themselves. It wondered why they were being so secretive and why they were not prepared to produce the relevant documents and have the meetings minuted for the purposes of record?

6. The British Government opened the discussion on the matters raised by the Chairman by saying that at the plenary meeting the previous week the parties agreed to undertake intensive bilateral meetings. At that time, the British Government said that it did not detect significant signs of movement away from established positions on the issue of decommissioning. It was not easy to see a way through the impasse, but, nonetheless, it thought it was important to explore every avenue of possible advance before the election. The British Government said it had taken advantage of the past week to hold a substantial number of further discussions, as had the Chairmen and other parties. It had, in particular, explored the prospects for making progress now on the decommissioning issue so as to enable the participants to move on into substantive political negotiations after the forthcoming elections.

7. In the course of these discussions, the British Government said it had identified a number of ideas as to ways in which progress might be made. Some of these might well help achieve progress in due course: none had been ruled out as a result of bilateral discussions. But it had, increasingly, become clear over the past week that it was now very difficult to see how constructive progress could be made on the decommissioning issue in

the immediate weeks ahead as the shadow of both the general and the local elections loomed. Despite the British Government's best and intensive efforts - with fruitful and valuable exchanges with a number of parties - it could not see from its own rounds of bilaterals, a prospect of progress emerging in the next few weeks. It would not, of course, stand in the way of efforts by others if they could see a prospect of progress - indeed, it said it would do all that it could to encourage and facilitate such progress. But, for its part, it had to say that its own contacts had not given it grounds for thinking that further substantive progress on the decommissioning issue could be made in the period up to the elections.

8. The British Government said it understood that a number of parties had put forward a suggestion that it would be helpful at this stage if the Independent Chairmen were to assist the parties in assessing where the process stood, and how it might best go forward over the present period until the elections were over. For its part, the British Government thought it was right that stock should be taken of where the participants were and how best to go forward from that position, including whether there remained merit in exploring further avenues of progress on decommissioning, or whether it was best to give thought now to how the parties would most constructively use this period until the elections were over, so as to create the best prospects for progress after the elections. The British Government said it believed that it would be valuable if the Independent Chairmen undertook a series of consultations with all parties to this end, with a view to reporting back to plenary as to how best the process might now be taken forward, on the following Tuesday, 11 February, 1997.

It would have no problem with the suggestion that the Chairmen should be called on again to consult with the participants on how best the

9. The British Government said that whatever the parties decided upon, one thing remained clear. This was the only talks process in existence. It might not be ideal, but there was no other show in town. The British Government said it remained of the view that the process had the potential to enable comprehensive political negotiations across all the key relationships to be undertaken by all the political parties and the two Governments, as appropriate. It was, therefore, fully committed to the process and to continuing to seek progress through it. It continued to believe that progress was achievable - and that an overall political agreement was attainable by consent.

10. The Chairman, in requesting a statement of the Irish Government's views, expressed sympathy to the Minister for Justice on the recent death of her mother. The Irish Government thanked the Chairmen for their continuing efforts on behalf of the participants to find a way forward for the negotiations. It wanted to see progress towards a comprehensive political settlement and it shared a common frustration that there had not yet been a move to substantial political discussions. It said that it believed that the goal of political agreement was of paramount importance. No obstacle, even one related to the important shared objective of decommissioning, should be allowed to stand in the way of that paramount goal. The Irish Government said it was committed to moving forward on the basis of the report of the International Body, which was established by the two Governments over a year ago with the specific mandate of finding a way through the impasse which continued to confront the participants. It believed the approach put forward by the International Body remained the most likely way of achieving progress on this difficult issue. It would have no problem with the suggestion that the Chairmen should be called on again to consult with the participants on how best the

period ahead could be handled. The goal should be to ensure that the measure of agreement achieved in the process so far should be preserved and used to the maximum extent as the foundation for further progress in the future, both in the immediate weeks ahead and after the election to which the British Government had referred. The Irish Government said it could, therefore, accept the proposal for a process of consultation by the Chairmen and to have a further discussion of this issue at the next plenary session.

11. Alliance said it was necessary to consider what choices were open to the participants viz., should they despair and say that there was no hope for democracy or should they continue on in the face of difficulty. The party said there seemed to be a form of pre-election paralysis which was inducing a lack of will to make progress. It was necessary for the participants to give the process "their best shot". The party referred to the cynical questions posed by the UKUP and the DUP as to which parties had requested the Chairmen to play a more active role in the proceedings. The answer was to be found in the minutes of the previous plenary meetings. Alliance said that it was one of the parties who had referred to the matter in the context of the "chinks of light" comment made last week by the British Government. The party's approach was to try the democratic process to exhaustion. The alternative was to leave a vacuum and that would have dire consequences. Accordingly, Alliance endorsed the view that the Chairmen should take a more active role in the process and it suggested that the parties should demonstrate a will to make progress and not hide behind an election. The UKUP intervened to say that no form of 'rapprochement' would be created by the type of full blown rhetoric displayed by Alliance. Nevertheless, it was grateful to the SDLP and Alliance for answering its earlier

question. Alliance said that it was clear that the UKUP did not read the minutes of the meetings. It also stated that the briefing sessions in the matter given to some of the parties were seen as helpful. On the other hand, Alliance said, other parties who were the most vociferous in relation to obtaining information had presented it and the other two parties in the trilateral group with a whole list of pre-conditions to be met before the briefings could begin.

12. The DUP said that in terms of the conditions two matters were raised - firstly, that the document should be on the table and secondly, there should be a minute of the meeting. Was that so unreasonable? The party wanted simply to discuss the document itself, not the Alliance view of it. Why not place it on the table, in confidence, in those circumstances. The DUP said it did not want possession of the document. Alliance said the document in question was not an agreed one. It had no objection to the idea that a minute of the proposed meeting could be taken, but it had to be remembered that the briefing sessions were supposed to be informal. Those that had taken place on the latter basis with other parties had been extremely useful. However, Alliance made the point that there could be a potential running to the press by some parties who felt insecure and this was no way to make progress in the talks. On a point of order, the DUP asked whether Alliance had ever said that the DUP had broken confidence; the DUP said Alliance was lying through its teeth in the matter and it knew it.

13. Labour appealed for calm to return to the discussions. In general remarks on the security situation, it said that, initially it was sceptical about some earlier IRA attacks and had taken the view that a phoney war was taking place. However, because of two recent events - the car bomb attack on the three soldiers and the

mortar attack on the police, it had revised its opinion and was sure that the war was for real with the possibility that one more incident could push things over the edge. The situation with regard to control over the loyalist paramilitaries was that it too was balanced on a knife edge. Labour thanked the SDLP/Alliance/UUP for the excellent briefing they had provided and said that it welcomed the suggestion to engage the Chairmen more fully in the negotiations. It was necessary to remain in the process for as long as possible. There was also a need for someone to look from the outside in. If the democratic process foundered, a vacuum would be created with associated dangers. Labour felt that in any event Sinn Fein would never have the courage to enter the negotiations, if it did the party felt that it would be torn to shreds by the other participants.

14. The NIWC extended its condolences to the Minister for Justice. The party also said it took part in the tripartite briefings given by the relevant parties and found them useful. There were still difficulties to be faced but the party felt that progress could be made. It proposed parallel group meetings with the smaller parties to keep in touch with developments. As to the questions posed by the UKUP and the DUP and, as already recorded in the relevant minutes, the NIWC said it too wanted to see a more active role for the Chairmen. The party had no problem in being identified with that view. It also felt that tripartite meetings should continue. The process should not be left in such a way that the insincerity of some parties should be made known to the wider community outside the talks. It was necessary for the Independent Chairmen to play a proactive role, the NIWC said.

15. The PUP expressed its condolences to the Minister for Justice. It also said that it found the SDLP/Alliance/UUP briefing to be

quite valuable, preferring to light a candle in the dark rather than curse the darkness. The PUP said that, like the UKUP, it too was a small party. It believed that the Chairmen should take a proactive role and that every avenue of progress should be explored rather than simply throwing hands up in dismay.

16. The SDLP took up the matter raised by the DUP and the UKUP about the request to the Chairmen to use their influence on the question of decommissioning. It referred to the official minutes of the plenary meeting on Tuesday 3 December, 1996, and quoted from it as follows:

"The DUP said it was time to reach a consensus on the matter and referred to Rule 30. The party stated that the Chairman already knew by now that there was no likelihood of unanimity being achieved on the decommissioning issue. If the Chairman didn't know this, then a vote on the UKUP motion should tell him so. This meant that the Chairman should follow the route as outlined in rule 30."

The SDLP also read out the relevant portion of that rule. It said that the DUP had in fact made the same request at that time as was the subject of query now. The UKUP had not. The SDLP felt that this should clarify the matter. Surely the involvement of the Chairmen at this stage was a reasonable way to proceed? What people could have more authority on the issue than the people who wrote the International Body's Report which had the full support, of some of the participants present in the negotiations and some support from the remaining participants. It was important that the Chairmen should bring their expertise, influence and authority to bear to help the participants resolve the matter, which could be regarded as the poisoned chalice of the whole process. The SDLP

said the chalice was handed to the three Chairmen to deal with initially and they produced their Report. The response to that Report was not as positive as it should have been. What happened was that the political parties in the negotiation process were put at a disadvantage because of the flaccid, inert and supine role which had been adopted by the British Government and which was brought about by the need for electoral support from some participants. The rule seemed to be to do nothing and don't offend those on whom you rely for votes. In effect, the British Government was postponing everything until after the election was over and saying "over to you Mo - we'll leave it to you". That was the reason why decommissioning had not progressed and that was also why, despite the presence of two sovereign Governments, it was necessary to request the Chairmen to inject some momentum or motivation into the whole issue. The SDLP said that it, together with Alliance, UUP and others were trying to solve a problem which was, essentially, a problem for the Government and for which it had responsibility. Accordingly, it was in the nature of a duty to request help from the Independent Chairmen yet again to deal with this poisoned chalice. Otherwise, the finger of blame would be pointed at the political parties in the negotiations for their failure to resolve the decommissioning issue. This would be grossly unfair, because the parties could not do it on their own.

17. At that point the UKUP sought to intervene but held over its comments at the request of the Chairman. The SDLP continued and said that the framework of the negotiations had to be maintained against the background of the time taken to establish the various previous initiatives on dialogue going back to Sunningdale, the Atkins Conference, the Brooke/Mayhew talks and the present round of negotiations. There was a danger that contrived adjournments and recesses for long periods could mean that the framework would

disappear entirely. Against the scenario of a May general election, followed by local Government elections, the possibility of an incoming Government which could be new, the marching season, and a general election in the Republic in the autumn, it could well be Christmas before the process would resume, the SDLP said. It urged against consideration in any circumstances of contrived or artificial adjournments. The party also said that without a doubt the present period was the most difficult and dangerous period, politically speaking, in modern Irish history. Surely, the participants would be aghast at the prospect of saying to their grandchildren "we adjourned" when asked the question "what did you do in 1997?" Fergus Finlay said the talks without Sinn Fein were not worth a penny candle. It was the SDLP view that parties on the unionist side had spent the past seven months proving that statement to be correct. The SDLP said it wanted to prove Fergus Finlay wrong. The party concluded its remarks by offering its condolences to the Minister for Justice and to Minister Malcolm Moss on the death of his wife who had died during the previous night.

18. The UDP also offered its sympathies to Minister Moss and to the Minister for Justice on their respective bereavements. The party said it too had expressed its concern at the lack of understanding over the trilateral position adopted by the SDLP/Alliance/UUP before Christmas. The meeting which had taken place on foot of the developments last week was helpful; it was also frank, open and honest. It would like more time to explore the issues which had been discussed. Generally speaking, the party was concerned at the collective inertia which had crept into the process and it would not support a proposal to move back into empty bilaterals. It was open to the suggestion of a more active role for the Chairmen as it could be a way of advancing a dynamic into

the discussion process. The party said it was disconcerted by the continuous references to elections, and it wondered whether or not this was a facade for winding down the process. The party said it should be remembered that the same problems would have to be faced after the elections. The party stressed that it would not get involved in an illusory process which was designed to wind down the negotiations.

19. The DUP, through the British Government, expressed its sympathy to Minister Moss on the death of his wife and to the Minister for Justice who had the party's heartfelt sympathy in this difficult time over the deep loss of her mother. The party then said that there appeared to be some misunderstanding over the questions it had raised. There was no suggestion by either the DUP or the UKUP that there was anything improper in the parties requesting the Chairmen to get more involved in the process. The DUP said that it, in fact, had supported the rule which gave such a role to the Chairmen. That rule (rule 30) also had other elements which could be considered, for example, in relation to the use of experts, a working group and the possible involvement of the Forum (rule 31).

20. In discussions with the Chairmen, the DUP said that there was an appropriate role for the Chairmen to get involved once deadlock had arisen. But first there had to be consideration as to whether there was consensus on a whole range of issues. It might be the case, for example, that there was sufficient consensus for some proposals on decommissioning. The DUP's attitude was that it just wanted to look at those proposals to determine which procedures could be dealt with and then try to identify the areas of disagreement. The party said that the SDLP misunderstood the DUP position in the matter. The DUP also said that it was shocked by

the bellicose and belligerent remarks of the Alliance party which seemed to need lessons in conflict resolution. Just to dispel any further misunderstandings, the DUP said that its position was that if there was a document, its status should be defined first of all. The document would then be handed back after the meeting. With regard to the question of minuting the proceedings of the briefing, the DUP said it did not want its presence at the meeting misconstrued, so it merely wanted to have the safety mechanism of having an independent minute. It believed that to be a sensible precaution. It was possible therefore that the DUP's requirements in the matter could still be met by the parties concerned in other ways.

21. With regard to the remarks by the Labour party, the DUP said that it agreed that one more incident by the IRA or some other group could cause considerable upheaval. However, the parties present could not do much about that; it was a backcloth against which they all had to work. The DUP also said that it was clear that Sinn Fein were not sincere about bringing peace through dialogue and it hoped that the leader of the SDLP could be convinced of that fact. The party said that the SDLP should not apportion blame for the lack of progress in the talks because it could also be said that the SDLP had proved Fergus Finlay to be correct in his assessment of the situation. Agreement was not a one-sided affair and the DUP said that the SDLP were as much to blame as anyone else for the failure to agree in the talks so far.

22. The DUP also said that it noted that the British Government only last week had referred to "chinks of light" in the process and it had urged the continuation of bilaterals. However, the message today from the British Government was more bleak, possibly because it was beginning its parking manoeuvres. If it was the case that

the process was to be suspended, the DUP said, then the British Government should be more up-front in the matter. The 'Irish News' had reported that Dick Spring and the Secretary of State would be meeting to talk about the suspension of the process. It should be clear, the DUP said, that it had never asked for a suspension. It wanted the process to press ahead, but it agreed with the assessment of the delay scenario outlined by the SDLP.

23. The UKUP offered its sincere condolences to both Minister Owen and Mr Moss on their recent bereavements. Moving on, the party said it wished to address a number of remarks made by previous speakers. In relation to some of Alliance's comments, the UKUP said that that party (Alliance) had talked about what might be left if the democratic process, in which all participants were presently engaged, did not succeed. The UKUP said that statement implied that all parties were taking part in a talks process which had a democratic basis. The party said it had long since held the view that the talks process was anything but democratic. The mechanisms put in place by the British Government regarding the legislation and elections were all established as a result of pre-conceived reasons of policy. Furthermore a talks process which was exposed to violence and corruption would fail since whatever democracy there was would simply be consumed or corrupted by that violence. The party said that, in relation to recent remarks made by the SDLP leader, during which he had offered the view that if the talks process didn't produce a negotiated settlement then further violence would follow, this position had been articulated by it (the UKUP) for some time. The UKUP said it was quite evident that if the process failed, then the hopes and expectations of the communities were also dashed and if this occurred such disappointment could manifest itself in other forms such as an increase in violence. The UKUP said that irrespective of this the

peace process had, to date, brought nothing but problems. Violence and punishment beatings had increased and the parades issue was a second front, aided and abetted by activists operating under an IRA agenda.

24. In relation to Labour's comments when it (Labour) had referred to the likelihood of Sinn Fein representatives being torn apart if they joined the talks process, the UKUP said that it recalled these same sentiments being made in advance of the media embargo on Sinn Fein being lifted by the British Government. However in the final analysis it was the interviewers, not the interviewees who were torn to shreds. The party said it didn't go along with Labour's views on this point. In relation to the PUP's remarks about it being better to light a candle in the dark than curse the darkness, the UKUP said there were other events which created a lot of light, including explosions. The party said the PUP should be careful about making such remarks, given the recent examples of under car vehicle attacks and the association of these events with loyalist paramilitaries to whom the PUP had a close affinity.

25. In relation to the SDLP's remarks, the UKUP said that the party (the SDLP) was probably correct in its estimation that the current process took some three years to establish. The UKUP said that, in its view, it was more like five years when one considered that the Downing Street Declaration, the Framework Document and the Ground Rules were all part of the backcloth to the current process. The UKUP said, however, that it only took sixteen weeks from the bomb explosion occurring at Canary Wharf to bring everyone round the table. During that period, the legislation was rushed through the House of Commons and the election machinery was started up, thus proving that nothing else had concentrated the British Government's mind as much as the bombing. The UKUP said that some

of the other SDLP's remarks also lacked logic when the party (the SDLP) was talking about the British Government "pandering" to the Ulster Unionists in order to keep the former in power. The UKUP said that while on the one hand the UUP, SDLP and Alliance appeared to be role models of democratic negotiating, it was the DUP and UKUP who had continually voted against the British Government at Westminster. It seemed therefore, that the SDLP's original logic was somewhat strained for, on the one hand, the SDLP was working, within the talks environment, with a party which supported the British Government, yet on the other it was more often or not in the same camp as the DUP and UKUP in opposing the British Government at Westminster!

26. The UKUP then referred to the SDLP's questions regarding the status of the talks process as viewed by the next generations. The UKUP said it would tell its "grandchildren" that it ran the risk of attempting to support its true principles of democracy, that it did not get involved in terrorism, nor did it get involved in a process in which discussions were held with terrorist groups regarding deals on cease-fires and entry into the negotiations without any indication of the terrorists' commitment to turn to peaceful means. The UKUP said that, as opposed to the view expressed earlier regarding a quotation from Fergus Finlay, the SDLP was in fact supporting Mr Finlay's view as opposed to saying earlier that it was against it. The further evidence of this was the SDLP leader's continuing efforts and going to impossible lengths to hold discussions with the Sinn Fein/IRA to call a cease-fire prior to it (Sinn Fein) entering political negotiations. they could agree or disagree with, but the UKUP needed to know what the SDLP's views

27. Moving on, the UKUP said it was quite willing to talk to anyone; provided that party was also willing to be open and honest in talking to the UKUP. The party said it recalled the events of

the last plenary session when, during the discussions, the UKUP had asked for a meeting with the SDLP. Another member of the UKUP had had meetings with the SDLP following the plenary, and a meeting between both parties at 16.00 on that day was set up. But the meeting didn't take place. The SDLP intervened at this point to make it clear that any meeting with the UKUP was subject to the agreement of the other two parties in the trilateral process, i.e. UUP and Alliance. The SDLP said that this position had been outlined during that day's plenary session and also to the UKUP representative who had attempted to set up the meeting. These arrangements had also been acknowledged and agreed with the Chairman.

28. The UKUP returned to this point and said that those were not the arrangements which it understood had been finalised. The party said that what was agreed was that no documents could be distributed; the physical arrangements concerning the original request for a meeting with the SDLP had nothing to do with this issue. The UKUP said the next thing it had heard was that the meeting had to be with all three parties and that such a meeting had to be on exactly the same position as the other three parties in terms of the level of details provided. The UKUP said it never recalled being in a negotiating position with others when the position of one of those parties, in relation to what it would agree or disagree with, was completely unknown. Despite these events, the UKUP said it was still quite happy to meet the SDLP. The UKUP said it acknowledged and understood the position of others in the trilateral process in relation to what they could agree or disagree with, but the UKUP needed to know what the SDLP's views were on all of this. The party said that if people wished to be genuine about making progress then such a meeting should not cause

difficulties nor should the request for an independent minute taker, thereby safeguarding everyone's position, cause problems.

29. Following a brief supporting intervention from the DUP, the UKUP moved on to the issue of a more pro-active role in the process for the Independent Chairmen. The UKUP asked whether this was not the subject of burning debate arising out of the Scenario Document of 6 June 1996 - where in it was contained such powers for the Chairman as would permit him and his colleagues to overcome impasses and move ahead as they saw fit. The UKUP said that when this was withdrawn (or more likely suspended), the UUP had told the media that it had got rid of the document and had curtailed the powers of the Chairman. The UKUP said that perhaps this would have been the case if the UUP had actually carried out what it told the media. The UKUP continued saying that it had no problem with the Chairmen assisting in order that some sort of resolution of the decommissioning issue could occur. The party said, however, that despite the British Government's comments of the previous week, there were no "chinks of light". The party hadn't had any indication of any clear way through or resolution of the impasse which existed on the decommissioning issue between the position of those on the pro-union side and the nationalists. The party said it was also very concerned about the two Governments' philosophy, supported by some of the other participants, that the Chairmen should get together and in some way lead from the front by knocking heads together. The party said it was worried by some of the participants use of the word pro-active. This seemed to suggest that the Chairmen could decide on certain action to be taken, regardless of the views of others who might not support such action. The party said that pro-activity shouldn't be a trumpet call for the Chairmen to act on something which might only have a alternatives which might move the process forward. The plenary

serious impact for the independence of their role and reduce the respect in which all three were held by the process as a whole.

30. The party said there could be no directive to the pro-union parties on the decommissioning issue from the Chairmen, supported by others such as the SDLP. There were good reasons for this. Outside the media's expectations were being raised on the premise that the Chairman and his colleagues were finally going to take a firm view on the issue. The UKUP said that once such an announcement was made, the formula for moving forward would be taken up and would place the Chairman and his colleagues in an adjudicating role. The party said that, in these circumstances, one couldn't conciliate and adjudicate at the same time. If the Chairmen were seen to be adjudicating by giving a view to the media and hence creating pressure on others in the talks process this could spell an unintentional end to the negotiations, never mind prejudicing the true functions of the chair. The UKUP said it agreed with the position that the Chairmen should do what they could to help, by being available, by listening in a way which promoted confidence, but anything else was a dangerous precedent.

31. The UUP referred to previous remarks on the issue of parliamentary arithmetic at Westminster. It said that in the current circumstances, virtually any party, of its own volition, could inflict a defeat on the Government and present it with difficulties. The UUP said that it was worth recalling, in relation to the UKUP's comments some moments earlier, that it (the UUP) had not supported the British Government during the proceedings on the Scott Report. The UUP said that people should make up their own minds depending on the issue under discussion. Looking to the future, the UUP said there was a number of alternatives which might move the process forward. The plenary

could be continued but that format had problems and often got into circular debate or argument. The process could return to bilaterals but the UUP believed this mechanism had now been used to its limits. There was the role of the Chairmen and the possible production of a paper from them which might better define the way forward. This also had problems, some of which had been highlighted by the UKUP earlier. The UUP said it didn't favour any of these but it acknowledged that the bilateral process could still be useful if taken forward in a different way. The party said it envisaged the role of the Chairmen in a more vigorous and mediating manner rather than as "head bangers" which had been referred to earlier. The party said that perhaps following the completion of the plenary, the Chairmen could consider what role they could play and consult with the parties accordingly. The UUP said that a decision on the role for the Chairmen was not something which could be moved by consensus. Everyone must agree to the role and hence preserve the Chairmen's independence.

32. The UUP said that in relation to the briefings given to other parties, it was glad to see that these were found to be useful. The party said it understood why some participants decided on attending and others didn't. In many ways the up grading of such meetings into a formal situation only elevated them to the level of mini-plenaries and this defeated the purpose of having informal, information sharing exercises. The more formal such a procedure was, the more likely the wrong message or signal would emerge as a result. The UUP said that during the briefings it had simply wished to convey what activities had taken place during the trilateral meetings as well as outlining what points had been agreed and those which had not in relation to Sinn Fein's entry into the talks process. The UUP said that the process had reached a determination on decommissioning; it could not agree on a way

forward. The party said that the DUP proposal outlined earlier was one with which it (the UUP) could agree with. The party also stated that it supported the view that progress, no matter how difficult to achieve or how little, must be maintained until the general election was actually called. It had made the point at last weeks plenary that the issues and problems facing the process wouldn't change after the election, even though some of the faces might. The UUP said there should be no strategic change of direction in the process unless there was general agreement from all participants to do so. The process was a means to an end and was there to serve the participants; not the other way round. The UUP stated that the process should certainly involve the Chairmen in a moderating/mediating way but there also needed to be avoidance of drift with plenaries being scheduled to report back on bilateral, trilateral or other meetings at regular intervals. The UUP said that the Chairmen should consult widely with the delegations on their role so that everyone would be satisfied that there was no conflict between this and the activities of the delegations.

33. The Chairman said that perhaps there was room for clarification of the chair's role. Perhaps it should be the same as up until the present i.e. low profile. The Chairman also stated that he recalled that there had been several proposals put forward that the Chairmen consider presenting their own proposals for attempting to reach agreement on the decommissioning issue. He said that all three Chairmen had now considered such suggestions but did not see any proposal which would secure agreement. But the new issue of the role of the Chairmen was a little different. The Chairman pointed out that he had not used the word pro-active, but had actually spoken in terms of "more active". However he recognised that the Chairmen's room for manoeuvre in all of this

was very narrow. The Chairman said that perhaps a way forward might be for the Chairmen to assist participants at their request in whatever format the latter so desired. All three Chairmen would, in the interim, try to explore the common ground within the current status of the negotiations, the options which were open in moving the process forward as well as being available to conduct meetings at the participant's request. The Chairman said these activities were in full harmony with rule 30 of the procedural rules, nothing more. He stated that since the question of the role of the Chairmen was raised, it was their duty to try and assist in whatever way possible. The Chairman stated that he and his colleagues would view the situation during meetings with the participants but it was difficult to try something new when one only had old elements at one's disposal.

34. The SDLP referred to paragraph 14 of the plenary record of 3 December in which the Chairman had stated that "he now proposed to consult the parties over the following 2 days to ascertain (1) if there was agreement to proceed according to rule 30(a) and (11) if there was a reasonable basis for a solution to the current impasse". The SDLP said that it assumed (1) was carried out and agreement had been reached to proceed accordingly to rule 30(a). The party said it also assumed (11) had been undertaken but there had not been a reasonable basis for a solution to the current impasse. The SDLP said it would be heartened by the fact that were the Chairmen, by their involvement as now suggested, to pursue both issues to absurdity this would ensure that every mechanism had been attempted. The party said that it acknowledged the fact that this was passing on the responsibilities of the participants to the Chairmen but there was, in its view, no one better qualified to undertake the role proposed.

35. The UKUP asked the Chairman whether, in this role of greater involvement etc, he could encourage the UUP to remove the embargo on the SDLP and Alliance in terms of releasing the contents of the document produced during the trilateral meetings before Christmas. The UKUP said that a similar request had been made by the UDP and PUP but nothing had yet been released, though the UUP had referred to the paper as being nine-tenths agreed. The UDP intervened to confirm that its wish was for a greater collective understanding of those trilateral meetings which in turn would be helpful to other participants. The party said, however, that it also had to respect the rights of individual parties to retain or present documents in whole or in part. The UKUP said it accepted the UDP comments. However, as it understood the position, the document in question was produced to facilitate the UUP in setting out its stall in relation to resolving the impasse on decommissioning. In this regard the UKUP said it couldn't understand why the document wasn't being made available. Given the fact that much had been said around the table about genuineness, openness and the need to take some risks, was it the case that the UUP was now fearful about releasing the contents of the document? The UKUP again asked what was being covered up by the UUP in showing its reluctance to release the paper. Was it not possible for the document to be released?

36. The PUP intervened at this point to emphasise that it had not made any request regarding the release of the UUP document. The UUP said that it had offered a briefing to every party. The party said that if that briefing was taken up and subsequently participants needed more information or clarification, then this was acceptable. But to get to this position one had to have the briefing first. The party said it couldn't see what the UKUP's problem was with this. The briefings provided a simple exchange of

views. If participants were serious about moving the process forward, what was the problem in sitting down and having such an exchange? The UUP said that two groups had requested further meetings with the trilateral group. However for others to initially produce a set of conditions in advance of a briefing seemed to suggest that those parties were not really interested in progress. The PUP commented that, in relation to the UKUP's earlier remarks regarding the failure of the peace process, it had to be pointed out that in statistical terms, between 200 and 300 people were alive today because of that process. The party said that those who lived in Belfast did appreciate the changes which had occurred as a result of the process. Others, like some members of the UKUP, perhaps didn't appreciate these as much since they were more often tied up with matters away from Belfast. The PUP continued, referring to the UKUP's comments about the British Government deciding on the peace process after the Canary Wharf bomb. The party said that this was at odds with the comments and views put forward by the parties before Canary Wharf that it was this activity and pressure which brought the process about. The PUP said that in relation to any suspension of the talks, it agreed with the view outlined earlier by the DUP. The PUP said it would stay as long as possible in the process so as to ensure that the wrong signal was not sent to the communities. It was also worth noting that should a suspension occur, this had, under the legislation, the effect of suspending meetings of the Forum. The PUP said it opposed any suspension but acknowledged that an adjournment was a better way of presenting the recess when it came. The party urged the British Government to look carefully at the language being used when the time came to adjourn the process. Alliance intervened to say that any decision regarding the release of a document from the trilateral process had to be given by all three participants and not made unilaterally.

37. The UKUP returned briefly to the PUP's inferences about its (the UKUP's) attendance and performance at local political forums. The UKUP said its leader had the best record of all the political leaders for attendance at the talks process and the records would also demonstrate the considerable contribution which the party had made to meetings. With regard to the Forum, the party said a similar position existed on both accounts and in the aspect of attendance this appeared to present a much better rate than some other parties who didn't show up for the Forum's afternoon sessions! The UKUP said it was not sure whether the PUP's earlier remarks deserved any more attention than what they had now received. The SDLP returned briefly to reinforce the point made by Alliance regarding the release of documents from the trilateral process. It again clarified the events of the previous week in relation to the 16.00 hours meeting which hadn't taken place.

38. The Chairman, on hearing no further comments, said that he and his colleagues would undertake a series of consultations as to how the process should be moved forward, both in terms of any further avenues to be investigated with regard to decommissioning and how the coming weeks should be used to prepare the process for business after the general election. The Chairman said that both he and his colleagues were willing to undertake such consultations and he believed that a broad consensus of participants were content for the Chairmen to take the issues forward in the manner described and report back to a plenary on Tuesday 11 February. The UUP asked whether the plenary could be deferred until 12 February to give more time for consultations to take place. The SDLP said this was Ash Wednesday. The UKUP said that Tuesday 11 February was satisfactory to them. There was no point in putting the plenary off to Wednesday since nothing would be gained by this. The

Chairman put Tuesday 11 February at noon forward as a proposal. The SDLP stated that this only provided for two working days for meetings. The party wished to make the best use of time available and therefore supported the UUP's earlier view. Alliance also endorsed the SDLP view. The Chairman, on reflection, said that the plenary would reconvene at 10.00am on Wednesday 12 February. With these comments he adjourned the session at 14.27.

Independent Chairmen Notetakers
6 February 1997

OIC/PS61

United Kingdom Labour Party
United Kingdom Conservative Party
United Kingdom Liberal Democrat Party
United Kingdom Scottish National Party
United Kingdom Ulster Unionist Party

The Chairman called the meeting to order at 10.00am. He referred to the minutes of the previous meetings on 27 and 28 January. The minutes were accepted without amendment. The Chairman said that when the meeting reconvened in plenary format, it had been agreed to adjourn on 11 February, in order to allow further intensive bilateral contacts to take place. The Chairmen were aware that in that period a number of useful and valuable contacts had taken place. The Chairmen also had had bilateral contacts with the participants. He then invited each participant to offer his views on how, in the light of whatever bilateral contacts each had had, they might now best take the process forward.

However, before doing so, the Chairman said he wanted to record the fact that a number of participants had asked the Independent Chairmen to play a more active role in undertaking consultations with all the participants so as to take stock of the current situation and establish how best to make progress. Subject to the views of the participants, the position was that the