

Office of the Independent Chairmen

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SUMMARY RECORD OF STRAND TWO MEETING - MONDAY 26 JANUARY 1998 AT 1015 - LANCASTER HOUSE, LONDON

CHAIRMEN:

Senator Mitchell
Mr Holkeri

THOSE PRESENT:

British Government
Irish Government

Alliance
Labour
Northern Ireland Women's Coalition
Progressive Unionist Party
Sinn Féin
Social Democratic and Labour Party
Ulster Democratic Party
Ulster Unionist Party

1. The Chairman convened the meeting at 1015. He stated that, as everyone was aware, the session was scheduled to discuss Strand Two issues. In view of recent events, however, and his discussions which had taken place with both Governments and several of the parties, the Chairman said it would be more appropriate to convene a Plenary meeting as soon as was practicable at which time the Governments would raise the issue of the continued participation of the UDP in the process and the UDP could respond to those comments.

2. The Chairman said he believed this was the best course of action in the circumstances and asked the participants' indulgence to permit an adjournment until 1130 after which the session would reconvene in Plenary format. The Chairman said the Governments and the Independent Chairmen

would, in the intervening period, consult with the participants to solicit views on how to proceed with that session. The Chairman asked whether there were any objections to this.

3. Sinn Féin sought clarification. The party said the worst possible scenario from any delay in all of this was that it would constitute a fudge. In fact the party said that it believed there had been a fudge of the issue going on for some time. Sinn Féin said it needed an assurance that both Governments were going to face up to their responsibilities today. The rules and procedures were there. The party now waited to hear from the Chairman as to what was going to happen next. The Chairman said this was a matter for the Governments. But it seemed reasonable to assume that they would wish to hear what the other participants' views were on the subject.

4. The British Government said it wished to make a few remarks. It said both it and the Irish Government shared the grave public concern over the UFF involvement in recent killings in Northern Ireland, an involvement confirmed by the intelligence of which the Chief Constable had spoken, and then the statement of the UFF itself on Friday last. The British Government said it had been and must remain the case that parties participating in the talks stood by their total and absolute commitment to the Mitchell Principles of democracy and non-violence, and that in assessing whether they had done so, full account was taken of the activities of groups with which they had a clear link. Both Governments were aware of no representations under rule 29, but they believed that the UFF statement, given its relationship with the UDP, and the statement by the UDP in response, raised the issue under rule 29 as to whether that party has demonstrably dishonoured its commitment to the Mitchell Principles.

5. The British Government, referring to the Chairman's earlier comments, said other parties would want an opportunity to express their views on this. The UDP might also want to offer a further explanation of its outlook and, if it wished, to answer other participants' questions. It therefore supported what the Chairman had said on the matter of a Plenary session to serve this purpose. The British Government said that both Governments would then reflect on what further action was appropriate; it would be unhelpful to set a time-limit on that at this point as it would want to consider any further advice the Chief Constable might offer in the light of the UFF statement and the attacks since.

6. The Irish Government expressed its serious concern over the recent murders. It said the UFF statement on Friday had confirmed the break in its cease-fire and had consequently raised serious questions regarding the UDP's commitments to the Mitchell Principles. As the British Government had said, all parties had to stand by the Principles. The Irish Government said it shared the British Government's comments regarding Rule 29 and that the statements made by both the RUC Chief Constable and the UFF itself did raise the issue in the context of that Rule. The Irish Government said that in order to give both the UDP and other participants the opportunity to express their views on the matter, it was content with the Chairman's proposal. Both Governments, on hearing those views, would reflect on them and take appropriate action as soon as was possible. The Irish Government said it could not emphasise too strongly the importance of ensuring that all killings were brought to an end and that the integrity of the process was preserved. In relation to Sinn Féin's earlier point regarding the timing of the outcome of its deliberations, the Irish Government stated that both it and the British Government were committed to dealing with the matter as quickly as possible in accordance with the rules of the process.

7. The Chairman intervened to say that he had hoped this Strand Two meeting would not be used as a forum for discussion of such an issue - given its unsuitable format. However it appeared that this was already happening since a further three speakers were seeking recognition.

8. Sinn Féin said this whole issue had been a fudge. The party said it had already informed the British Government, before Christmas, that the UFF had ended their cessation. The party said it had also asked earlier in the meeting when would a decision be taken by the Governments using procedures and mechanisms established as pre-conditions originally drawn up to keep the party out of the talks. Sinn Féin said everyone knew that the UUP wouldn't be present today if last weeks events and those previous had been carried out by the IRA. It was time to stop passing the buck and face up to the responsibilities and realities of the situation. Confidence outside the process was what was required. At present being a Catholic in the six counties meant being a target. When would the Governments take a decision on this?

9. Labour intervened with a point of order. The party sought clarification of Rule 29 and asked whether any formal representations had been made to Chair on the issue. The Chairman replied no. Labour then asked what the purpose of the discussion was? The Chairman said that both Governments had notified him orally that they wished to raise the issue. He stated that he believed Strand Two was not the appropriate forum for such a discussion. It required a Plenary to deal with this matter. The Chairman added that, in fairness to the UDP, he believed the party ought to have some notice of a Plenary meeting, hence his proposal for such a gathering at 1130. The Chairman said participants would recall that, on the previous occasion, when such a situation had been reached, everyone had had a full day to put

forward their views and comments. The Chairman said he had spoken to the UDP and it had been content to come back at 1130 in Plenary format.

10. The UUP said the whole thrust of discussion couldn't be confined to just one specific issue and one specific party. There was no doubting the fact that the RUC Chief Constable's statement had precipitated the situation but the important point to be made was that the party deplored every single murder from whatever source. The party said it was faced with the same dilemma as the British Government had faced the previous day when handling media inquiries; the continuation and progress of the peace process had been held hostage by others on both sides who had continued to use violence to destabilise the situation. The party said the UDP were in the dock now and rightly so - not just as a result of the Chief Constable's statement but also because of the UFF statement. The UUP, however, also recalled an earlier statement by the Chief Constable regarding the status of the IRA cease-fire and his view that the organisation "had not desisted from certain levels of activity" including murders related to the DAAD organisation which the Chief Constable had described as a "flag of convenience" for the IRA.

11. Alliance raised a point of order regarding the relevance of the UUP's remarks to a Strand Two discussion. The UUP responded saying it didn't have the opportunity before a Plenary to outline the basis of why a Plenary should, in its view, be convened. The party restated its opinion that the discussion of this topic could not simply be related to a single event or a single party. It was much more complex than that. The party said it also wished to know from the Governments how, given the apparent lack of progress so far on the twin track approach, they could now define how the process got back on those parallel rails.

12. The SDLP said it wished to raise three points. The first concerned the exact relevance of Rule 29 in this specific case, given that rather than allegations being brought before the process, the UFF had itself confirmed its involvement in recent murders, following the Chief Constable's clear statement the previous day. Secondly the SDLP said it expected to have the information and intelligence, on which the Chief Constable had made his statement, made available to it and the other participants. Finally the party asked whether such information was available to the British Government before the Secretary of State visited the Maze Prison. The SDLP said the entire issue couldn't be dealt with by a procedural slight of hand. The Mitchell Principles were vital to the standing and credibility of the process and those Principles could not be prostituted. The party said it hoped the Chairman would make an assessment based on its comments regarding Rule 29 and again proposed that the Governments make the information and intelligence available.

13. The Chairman said since more time had elapsed he would adjust the time of the Plenary to 1200 noon. Sinn Féin again asked when a decision on the UDP issue would be made. The British Government said it would be taken when it had all the necessary information to hand and when it had heard the views of all the participants and it had reflected on those. It said this was the only fair means of taking the issue forward in cases where a participant was facing the consequences of Rule 29.

14. On hearing no further comments, the Chairman adjourned the session at 1048.

**Independent Chairmen Notetakers
27 January 1998**