

10/16/92
File
101642

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
MONDAY 2 DECEMBER 1996 (12.10)

Those present:

Independent Chairmen	Government Teams	Parties
Senator Mitchell	British Government	Alliance Party
Mr Holkeri	Irish Government	Labour
General de Chastelain		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 said that the minutes of the previous two plenary meetings had been circulated and proposed their approval be deferred until the beginning of the next session. This was agreed.
2. The Chairman referred to the motion submitted by the UKUP the previous week. He recalled that he had asked the participants to submit their views in relation to the procedural issues related to the tabling of that motion. Six participants had submitted written views on the issue, and it was expected that others would do so later that day. He then suggested that the procedural issues be discussed and, following consideration by the Chairman of all the oral and written statements, he would make a ruling the following day.
3. On the broader issue of reaching a determination on the decommissioning issue, the Chairman suggested that there be a further discussion in plenary, using the papers submitted on

November 13 by four of the parties as a basis from which to embark. An attempt should be made to reach an agreement on this issue before the Christmas break.

4. The UKUP said that it had not responded to the invitation to submit views on the procedural issues because their views are on the record. On a more general level, it had been apparent that nothing of substance would take place at the plenary on Wednesday 27 November. There had been no ministerial representation from either Government at the talks that day. The UKUP said it wished to express its increasing disquiet at the way in which the proceedings in Castle Buildings were being directed on a separate, but parallel, line to the negotiations being conducted between the two Governments and Sinn Fein via Mr Hume. Events at the talks the previous week had fitted in very conveniently with these separate negotiations. It was increasingly apparent to the public at large that the talks in Castle Buildings were being devalued and were merely a piece of dressage to cover the real negotiations between Sinn Fein and the Governments via the mediation of Mr Hume. The UKUP said that the British Government might snicker, but it wished to express its contempt for the British Government's behaviour over the previous week. The UKUP said it hoped time would be made available to discuss the document laid in the library of the House of Commons by the Prime Minister on 28 November, the contents of which would not find favour with the pro-union parties in Northern Ireland. The UKUP would not be a party to deception and dissimulation. One did not have to be a clairvoyant to deduce that the Prime Minister's statement would be followed by another period of negotiations between the two Governments, the SDLP, the fringe loyalists and Sinn Fein, aimed at getting the latter party into the talks without having to disarm. The Chairman should seriously consider their posts in allowing themselves, willingly or

unwillingly, to be tools for the two Governments in their attempts to delay the decommissioning debate and pursue talks with Sinn Fein in another place. The UKUP wanted a determination on the decommissioning issue without delay and proposed that the motion it had tabled on 25 November be taken immediately. The party said that some other resented being treated as children, asked to do their homework on a simple procedural point. If the talks were to retain any credibility, a decision was necessary on the decommissioning issue. The UKUP said that the British Government intended to use the Christmas recess period and a de facto period of non-violence to propel Sinn Fein into the negotiations. The participants should, at the very least, be allowed to discuss the Prime Minister's document of 28 November which had implications that no party on the pro-union side could subscribe to.

5. The DUP said that the procedural difficulty could have been easily resolved had the Business Committee been allowed to decide on the issue, but the SDLP had blocked this opportunity. In relation to the broader decommissioning issue, the party were amazed to see that the two Governments had not submitted a paper on how this should be resolved. In the absence of such a paper, it had to be understood that the Prime Minister's 28 November statement was the British Government's response and should therefore be listed as the Government's submission to the forthcoming debate. The DUP said that the Irish Government, for its part, preferred to conduct business in a clandestine way outside the talks body. Rather than pretending to want to adjourn to facilitate bilaterals, it should, at least, be honest about what its true intentions were. The DUP believed that it was standard practice in any body to allow members the right to table a motion and therefore supported the UKUP's request that its motion be heard. There had been extremely long discussions about

decommissioning in plenary and in bilaterals. There should be no question of allowing a Christmas recess until this matter was resolved.

6. The British Government reiterated its commitment to the talks process as the 'only show in town'. It had already put forward suggestions about how decommissioning should be dealt with and was anxious to hear a full debate between the parties. The British Government said it would provide further suggestions and was aware that it would be desirable to resolve the issue before the Christmas recess.

7. The DUP asked whether the parties could be given the opportunity of discussing the Prime Minister's 28 November statement in the decommissioning debate. The British Government said that decommissioning was for the body to decide upon. The terms of entry into the negotiations was a matter for the Government of the United Kingdom to consider.

8. The Irish Government said that it agreed with the suggested procedure outlined by the Chairman. Referring back to the reference made by the UKUP to the lack of ministerial representation on the Irish delegation the previous week, the Irish Government said Ministers are assiduous in attending plenary sessions. The Minister of Justice took seven hours of questioning on decommissioning. As a matter of fact, a Minister had been in attendance on 27 November. In any case, whoever sits in the seat as head of the Irish delegation speaks for the Government.

9. The Irish Government added that it had made its position on decommissioning abundantly clear. The DUP asked if the Irish Government thought that the Prime Minister's 28 November statement

should be tabled for discussion as part of the decommissioning debate. The Irish Government replied that as the British Government had already pronounced on the status of the statement by the British Prime Minister, it would be presumptuous of it to do so at this stage.

10. The UKUP said it was surprised at the attitude of the British Government by its earlier comments which supported the proposal that the participants should have further discussions on decommissioning, as suggested by the Chairman, to enable it (the British Government) to form a view on the issue from these exchanges. The UKUP said it was now some 6 weeks since decommissioning had become a central issue in the talks. During that period, lengthy oral statements had been made and papers produced. Then more detailed papers had been sought and bilaterals and trilaterals had occurred in the most recent two weeks. The party said that the position of all the participants on decommissioning must have been clear to the British Government before the events of Thursday past. However, the Prime Minister's statement in the House of Commons had made it clear that despite all this activity from the talks participants, the position of both Governments on the decommissioning issue had not changed. In looking at the Prime Minister's statement, the UKUP said there were inaccuracies contained within it which required clarification from the British Government.

11. The UKUP referred to page 4, paragraph 2, which stated that the opening plenary was addressing the International Body's proposals on decommissioning. The party said, that on a factual point, it had been agreed that addressing the decommissioning issue was not simply limited to the International Body's report, but included everybody's proposals. The UKUP then read out the third

and fourth sentences of paragraph 2 and stated that this had been the position of the British Government since day one of the talks. The party asked that, given this situation, how could the British Government say that it wished to hear further discussions between the participants before it decided on its further input? The UKUP asked what was to be gained by such blandness? The British Government had a fixed position on the issue, that would not change so why not move forward and ascertain what the other participants wanted by taking its motion, debating it and voting on it? The DUP said it was quite surprised by the British Government's earlier comments on the Prime Minister's statement the previous week. The Prime Minister's statement did deal with decommissioning and it was therefore totally unbecoming for the British Government to try to put the statement off the table. Of course there were other matters in the statement, but these were linked with decommissioning. The DUP said it wasn't surprised to hear the Irish Government kicking for touch; it is not very often that the Irish Government shows respect for absolute sovereignty. The Irish Government didn't wish to have the Prime Minister's statement included in the discussions. The party said it was clear that other talks were going on. There was another show in town. The British Government is playing footsie with Martin McGuinness. The DUP said it believed that the Prime Minister's statement dealt with decommissioning and the entry of Sinn Fein into the negotiations, yet it couldn't be discussed in the talks forum. If this was the case there was therefore no alternative but to get on and deal with the UKUP motion by discussing and voting on it. The DUP said that everybody, had already made up their minds about the motion, so why not get on and deal with it now?

12. The British Government offered the view that the issue was a good deal simpler than portrayed thus far. The Prime Minister's

statement made clear that the British Government accepts the compromise solution of the report of the International Body. The British Government said that the process was dealing with item 2 on the agenda and in this sense, it seemed reasonable that the participants initially consider the contents of the papers which had emanated from the Chairman's earlier invitations for submissions with a view to how decommissioning can be carried forward. The UKUP, raising a procedural point of order, said it wished to have a ruling from the chair that it wasn't just the International Body's report which could be discussed, but rather it was everybody's proposals. (While the Chairman didn't respond, the British Government nodded in acknowledgement of this point.)

13. The UUP stated that the main subject for discussion was not the Prime Minister's statement. It should, however, be included in the discussions on decommissioning being brought forward under the four papers recently submitted, as proposed by the Chairman. It was also, however, important to resolve the UKUP motion. The DUP said it noted that the British Government was now admitting that the Prime Minister's statement could be discussed and it was not just the International Body's report and its proposals on decommissioning which were the sole focus. The Chairman asked whether there were any further comments. On hearing none, he stated that he believed the process should move forward by addressing the issues one at a time, first the question of the UKUP motion and the procedural points arising from that required addressing, then the broader issue of decommissioning.

14. The Chairman suggested that he ask around the table for comments on the first issue and in terms of handling this recapped on his suggestions at the beginning of the session. The Chairman, acknowledging that other comments on the procedural issues linked

to the UKUP motion were due, asked each of the participants whether they were for or against his approach as previously outlined. For the approach were the two governments, Alliance, Labour, NIWC, PUP, SDLP, UDP and UUP. Against the approach were the DUP and UKUP. The Chairman indicated that the original approach as outlined by him would then be followed.

15. The Chairman, referring to earlier remarks, said that the proposal to hold a continuing discussion on decommissioning, based on the contents of the most recent four papers submitted, had not been his. The proposal had in fact come from one of the other participants. The Chairman said he had simply picked the suggestion up as a means of returning to the decommissioning issue and attempting to reach a conclusion on it. The basis for doing this, in his mind, was to take the last four papers on decommissioning and start with these, while at the same time not limiting the discussion to those four. The Chairman asked for comments on this suggestion.

16. Alliance said that its original paper was lengthy and included in it was four and half papers of proposals on decommissioning. The party said it wished that these proposals be tabled and accepted as its input to be placed alongside the four other sets. The DUP asked why both Governments were not putting forward proposals. Did this mean that each was still standing by what had been previously said? The party said it was impossible to come to any conclusions on the decommissioning issue if the views of both Governments were unchanged from previously - yet both had recognised that their earlier proposals had not met with universal support. The DUP said if this was the case, it would be taking the Prime Minister's statement as the most recent definitive view of the government's position.

17. The Chairman said that all, including the governments, would be invited to put their views forward in the forthcoming discussions if they so wished. The UUP stated that since the four papers had been submitted around 13 November, a number of bilaterals and trilaterals had taken place. The party said that, as well as using the four papers as a basis for discussion, account should also be taken of the progress made during the bilateral and trilateral phase. Following a point of clarification from the Chairman, the NIWC said that rather than provide an oral response to the procedural issues raised by the Chairman the previous week, its paper covering these points could be distributed among the other participants.

18. The Chairman accepted this and asked whether any of the other six parties had objections to their papers being circulated. The DUP said it was content for this to happen provided everyone else circulated their own. The Chairman noted this. The DUP said it looked forward to the decommissioning discussions and in particular hearing about the "progress" which the UUP had referred to as occurring during the bilateral and trilateral phase. The Chairman asked for any other comments. On hearing none, he recapped on arrangements for Tuesday and adjourned the session until noon the following day at 12.53.

Independent Chairmen Notetakers
5 December 1996

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