

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
WEDNESDAY 2 OCTOBER 1996 (15.39)

Those present:

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 convened the meeting at 15.39 and commented that the chair had been informed that bilaterals had taken place during the adjournment and over lunch, but more time seemed to be needed. The Chairman proposed that the meeting therefore adjourn until 18.00.

2. The DUP raised a query with the Chairman regarding receipt of a memorandum from the Chairman's office proposing a meeting between a group from the multi-party talks and a group of businessmen led by Sir George Quigley on Monday 7 October. The DUP recalled that the issue had first come to notice prior to the summer break when it had indicated that the Forum would be the most appropriate place for this exchange to take place. Now it appeared that a meeting had been formalised for the following week in a room within the talks accommodation in Castle Buildings. The DUP stated that it wasn't willing to lend its support to this exchange. The party continued saying that an Austrian TV crew had been present at the

talks complex during the day. A request for the crew to use a committee room in Block B had been refused yet the group of businessmen wanted to address the multi-party talks group on the premises and this had been arranged. The DUP said it didn't believe the meeting should go ahead on this basis and questioned why such arrangements had been made. Perhaps it was because Sir George Quigley was heading the group. In any event the DUP stated that it didn't agree that the Chairman's staff should be involved in arranging this meeting.

3. The UKUP considered the issue to be for the Forum. It stated that it had told the Independent Chairmen's staff this when the issue first arose. The multi-party talks was not the place for such a meeting. Pressing ahead with it would set a dangerous precedent as it could open the door to a flood of representations from all sorts of groups. The UKUP also stated its displeasure about the fact that the issue had already been predetermined with the memorandum from the Chairman's office confirming that a meeting was scheduled for 10.00 am on 7 October for one hour.

4. Labour stated it hadn't seen the memorandum in question and would wish to do so before commenting on it. The UKUP said that it wouldn't want to create the wrong impression that the party didn't want to meet the businessmen - but it would do so as an individual party and not part of a multi-party group. The SDLP stated it was happy to meet with the businessmen along with others from the process who wished to do likewise. The PUP said that it recognised the importance and profile of the group of businessmen, but commented that the whole matter shouldn't have been handled in this manner. The group should have written to the party leaders or the Chairman of the Forum. On a second point the PUP proposed that rather than reconvene the plenary at 18.00, it might be better to

adjourn it until Monday 7 October as it was unlikely that agreement could be reached on the agenda within the next few hours.

5. The UKUP stated that it endorsed both comments from the PUP. Furthermore the UKUP was happy to meet any grouping which had, as its primary focus, the interests of promoting peace in Northern Ireland. The party did, however, have concerns regarding the precedent set by the group of businessmen coming to the talks accommodation and the whole issue of confidentiality which arose as a result of such a visit. In other words there would be nothing to stop this group making comments to the media on any aspect of the multi-party talks from the platform of such a meeting. The UKUP said that, given the situation of a few weeks ago when the UUP leader was subjected to a homily from the Director of the CBI, and the fact that many in this group had connections with the British Government through past entrepreneurial work or assisting in promoting the Government's economic policy, the idea of a meeting should be discouraged.

6. The DUP asked why the Business Committee could not deal with the issue of such a meeting. The NIWC recalled the nature of the request prior to the summer break and said it had already met with some members of the group. The NIWC didn't have any problem meeting them again but did foresee problems in the group going to the Forum. The party was, however, a little in the dark over the timing of Monday's meeting. Labour then stated that it would be pleased to meet the group, having now seen a copy of the memorandum.

7. The DUP said it found it interesting that the British Government thought it proper to provide a room within the talks accommodation. The DUP also stated that it thought the British

Government was itself trying to set up such a meeting with the group. However, the group didn't write to the party leaders. It therefore appeared that there was more to this event than met the eye and it was likely that this group would use such a meeting to peddle their attitudes about the talks process and castigate the participants in public.

8. The British Government stated that it thought such a meeting would be useful. It had, of course, every right to provide accommodation from the Government estate if it so desired. The British Government said it had no interest in who met whom during the meeting. If the problem was one of using the talks accommodation, another room adjacent to Block B could be made available for the discussion. Alliance stated that there was merit in the earlier DUP suggestion of allowing the Business Committee to handle such requests in future. Hopefully this would occur. Alliance said that it believed the group of businessmen wished to see everyone present from the party delegations. If this now was not going to be the case, then it might be better to tell the group this so as not to appear discourteous in any way.

9. The UUP returned to the point that the whole issue was one for the Forum to deal with. The UUP had no objection to the group having an input. It was an important body and was widely recognised as such, but the Forum was the place for this input to be given. There was also the question of precedent. If frequent requests arrived from other groups wishing to make representations, too much time would be taken up by these, yet the Forum was the proper home for such matters. Put another way, the meeting with this group at Castle Buildings reduced the role of the Forum. The UUP said that the Chairman should take up the point about telling the businessmen made by Alliance, but also propose that the Forum

could put together a representative group to meet the businessmen there.

10. The Chairman said that the role of the chair in this issue was simply one of a conveyor of a message as it had been with the previous message. After the first message had been delivered, the Chairman said that he understood that some delegations had expressed a willingness to meet the group. The Chairman's office was only providing further information to the participants. It was not the role of the chair to decide where a meeting should take place. This was up to the participants who had been invited. The UKUP said it objected to the simplicity of the earlier remarks made by the British Government in that a change of room might satisfy those objecting to the meeting. The UKUP had a fundamental objection to the exercise in principle because it appeared to be a pre planned scheme, engineered by the British Government, to castigate the participants and pressurise them into action. Such a ploy was also designed either to embarrass members of the talks process or act as a sounding board for the British Government. In other words this whole issue amounted to a form of political blackmail and therefore in terms of attempting to influence the talks, the UKUP strongly objected to it.

11. The DUP raised a couple of points. Firstly the timing of the meeting was bad. Ministers from the British Government would not be present yet they were the policy makers in relation to economic issues in Northern Ireland. The more important issue which hadn't been dealt with yet was that pertaining to the businessmen meeting a multi-party talks group. The DUP stated that it did not believe that the task of the talks process was to provide a press platform for this group. As to the role of the chair as a conveyor, the DUP sought clarification as to the mechanics of the sifting process

which seemed to be in place in terms of dealing with such requests in the Chairman's office. The party said that the Forum had written to the Chairman (Senator Mitchell) some time ago and had yet to receive a substantive reply. The DUP said it thought the Forum would have had a reply from the Chairman sooner than this group of businessmen received its response. It therefore enquired as to the details of the selective process which appeared to be present in the Chairman's office when it came to handling and categorising correspondence. The Chairman restated his earlier position in response to these comments in that the role of the chair was only that of a conveyor.

12. The UKUP reiterated the DUP view that the Forum had sent in a request to Senator Mitchell, as talks Chairman, and no substantive reply had yet been received. The UKUP continued saying that the request from the businessmen and the earlier one from the Forum should have been distributed to the participants for them to decide upon. The UKUP said that it now appeared that in this case, the Chairman had unwittingly become the facilitator for this meeting. If the earlier DUP point was not addressed concerning the danger of providing a press platform for this group, it could not come on Monday on the basis outlined in the memorandum. There were also wider implications connected to this series of events in that the Chairman's involvement and that of his office could be viewed as impacting on his "independence". Given the process as a whole such "compromise" of the claim position was not to be welcomed as "independence" had to be retained throughout.

13. The DUP returned to the issue saying that if individuals wished to meet the group as individuals or as individual parties then this was OK. If, however it was a group from the talks process then it was up to the group to decide whether to meet the

businessmen or not. The DUP continued referring back to an earlier point about precedents being set by this event. The party asked the British Government whether, in the likelihood that such a meeting would spur other groups to do likewise, it was going to grant the same facilities to all these other groups? If this was the case, what criteria would the British Government apply in terms of selecting the proper or important causes to be met? The whole issue, according to the DUP, established a dangerous precedent, never mind that fact that it was a Forum responsibility. The DUP again stated that if Monday's meeting was to proceed as outlined, then the British Government had to spell out the criteria to be applied on future occasions.

14. The SDLP invited participants to read the correspondence regarding the background to the request before making any decisions on it. It appeared to the SDLP that the group's bona fides were sound and well publicised and that a wide range of business representatives were in its make-up. In response to an intervention from the UKUP, the SDLP stated that the group's background was evident from earlier correspondence. The SDLP then put forward the view that if this representative group was in fact speaking on behalf of both major industries and their workforces regarding worries or concerns with political development in the Province then why should the participants not listen to them? The businessmen had made it clear that they didn't wish to seek a meeting with the Forum and it was only scheduled for an hour. It therefore appeared prudent that if one wanted to stabilise and encourage further development of the Northern Ireland economy, there could be no harm in meeting these people and listening to what they had to say.

15. The DUP said that the original correspondence to the Chairman appeared to signify that the chair had a close association with the group. The party said that the Chairman should have written back to the group there and then, explaining that it couldn't help on the issue of a meeting on these terms. The letter should have come to the participants and be dealt with in this manner. The DUP said that the businessmen were asking for a group meeting and if Sir George Quigley believed he had the power to call an elected body together to pressurise it into some kind of action then he needed to think again. Sir George needed to be publicly told that such a group facility was not available. This was the DUP view but perhaps the whole issue of Monday's meeting needed to be put to the vote around the table.

16. The Chairman raised two issues. Firstly the original invitation was one from an economic group in the Province. It was not something which the chair had instigated. Secondly the invitation was not connected with the talks process and he was therefore unwilling to put it to any vote. The Chairman did, however, say that the eventual resolution of the issue lay with the participants. The DUP queried how the participants could respond without taking a vote on the issue. The British Government said that it had hoped that its offer of an alternative venue for the meeting might have resolved the affair. It seemed strange to talk about taking a vote when there was no coercion on attendance. It was therefore proper to write to the group and inform them that not everyone would be present.

17. The UDP stated that what was relevant in all of this was that instead of the correspondence going to the Chairman, it should have come to the Business Committee. There was also the second issue that the British Government, now having taken a decision to allow a

room close to the talks accommodation to be used, was contradicting its earlier view that the event was not linked to the talks process. The British Government indicated its belief that alternative accommodation would reduce this connection. The UDP said it was wrong for the talks body to present the impression that it was willing to accept representations that were connected to the talks process.

18. Alliance said it never ceased to be amazed at the capacity of the participants to make a mountain out of a molehill. It considered that there was no need for a vote to be taken on the issue. The facilities for the meeting were being provided by the Government and the position was that those parties who wished to meet the group could do so. Alliance was also pleased that the issue of the economy of Northern Ireland had become relevant. It reminded participants that it had proposed the creation of a committee to deal with economic issues generally, at the Forum at the outset.

19. The UKUP said that Alliance seemed to have missed the point as set out by the UDP. It was a simplistic notion to believe that the provision of a room outside of the talks process changed the position. The group in question issued an invitation to all participants in the talks to meet with it. A room was being provided by the Government for that purpose and some of the delegations proposed to attend. What the Government was really doing was setting up a process which would allow the group to point to what the alleged terrible delays and the supposed wranglings in the talks were doing to the Northern Ireland economy. It was clear from the SDLP's intervention that this group would raise essentially political points and the whole elaborate process was designed to provide a platform for them to advocate Government

policy and direction accordingly. This amounted to political blackmail. If the British Government went ahead with its proposal, the UKUP intended to go to the media in a pre-emptive strike. This matter, it had to be remembered, was not in aid of the negotiations and, therefore, was not bound by confidentiality rules.

20. The PUP said it accepted that there was nothing sinister in the proposal but the matter had been mishandled. It also felt that Alliance had missed the point. There were four committees in the Forum which had invited various groups to make presentations. It was possible that the Forum could lose out in this area if people knew that they could make representations to the higher profile public figures involved in the negotiations. The party felt that the request should have been put before the meeting first for consideration. The suggestion by the British Government was not a good way forward as it could be taken as an insult to the businessmen. It would be better if the Government deferred its decision on the matter until it could be discussed further, possibly on Monday, 7 October.

21. Alliance said that it was quite clear that the request to meet the negotiating parties was for two reasons. Firstly, not all parties were represented at the Forum. At this point the UKUP pointed out that when the original letter from the group was made, all parties were still in the Forum. (The SDLP later stated that it had withdrawn from the Forum before receipt of the correspondence first received from the business group dated 25 July 1996). Secondly, Alliance believed that the business group wanted to address the participants in the talks to say things that might not be very appealing to hear. The resistance to meeting the group was, therefore, understandable. Alliance recalled that when a similar invitation arose previously, it was handled differently and

the content was different. A letter should go back to the group to inform them that not everyone in the talks process would take up the invitation but some parties may decide to participate on an ad hoc basis. The PUP said that no party had said that they would not meet the group. Alliance said that the UKUP had been critical of the group.

22. The DUP said that the meeting could discuss the matter all night. The Government's solution was not a solution at all. The perception would be that the meeting was taking place with the talks participants. Accordingly, the issue should be put to the meeting. Rule 27 of the Rules of Procedure was relevant and the party wondered how it could be applied in a situation where there seemed to be a fait accompli given that the meeting seemed to have already been arranged. The DUP requested that the Government deal with this point. In the light of the granting of facilities for a meeting on this occasion, the party requested the Government to set out the criteria that might be applied to future similar requests.

23. The Chairman explained that his office transmitted the group's letter of invitation to all delegations with covering correspondence stating that it would appreciate advice on the matter. He said it seemed that that advice had now been given. The UKUP said that some delegations had felt that the matter was badly handled. It proposed that the original letter should be tabled for discussion and decision by the participants as a group.

24. The SDLP said that as the party leaders would receive invitations from the group, they should await receipt and reply individually.

25. The British Government said that the participants as a whole were not prepared to meet the group. Accordingly, the Chairman should withdraw from involvement and write to Sir George Quigley. The Government would facilitate a meeting with those members of the talks process who wished to meet the group, whether on an individual or party basis. The British Government proposed to reflect on how best this could be achieved.

26. The SDLP said that the Governments' suggestion came close to what it was going to suggest. It too had inhibitions about meeting the group as a talks body. The party understood the concerns expressed about setting a precedent and yet there were questions to be considered such as the criteria which could be laid down. Accordingly, the matter should go before the Business Committee. The party also felt that it was not for the participants to re-route this request to the Forum. It took the view that rule 27 of the Rules of Procedure did not apply to the situation as the matter did not involve a written submission. The UKUP asked the SDLP whether it agreed that only the talks body could sanction a meeting with any group, to which the SDLP replied yes. The UKUP then suggested to the SDLP that what was done in the present case was improper and wrong. The SDLP said it was a misplaced request but the response was probably acceptable. The UKUP said the Government should have stated that the group could not meet with the delegations at the talks.

27. The DUP said that this was not an unimportant matter as it concerned the independence of the negotiating body as a group. Neither the Independent Chairman nor the Government could dictate to it. If a lesser person than Sir George Quigley was involved the request might not even have been considered. But he was a Government nominee, was patronised by the Government and was

prepared to be used by the Government. For 25 years the IRA created havoc for the economy of Northern Ireland and the DUP never received any such letter about a meeting then. The permission of the parties at the talks was required before the group could address it and the Independent Chairman was completely and totally wrong. He should have said that he had no power to get the participants as a body to meet the group. The matter should have been put to a vote.

28. The DUP also made the point that it was the presentation of the matter as a fait accompli which caused the problem. It was glad that a principle had been established. It again asked the Government for a view on how it proposed to decide on which groups should meet with the participants and what the likely criteria might be. The UKUP said that it should not be left to the Government to reply. It was a matter for the Chairman alone or in consultation with the Business Committee.

29. The Chairman said that since the chair had been accused he wished to refer to the original letter from the group seeking the meeting. The Chairman said the Independent Chairmen had written in July to the DUP and all other participants stating that he would appreciate advice on the matter. He had got none from the DUP. It was possible that the memo circulated before the current meeting had caused misunderstanding on the issue and, accordingly, the Chairman said he was withdrawing it. He proposed to write to Sir George Quigley conveying the results of participants' consideration of the invitation from the Business/Economic Group. In addition, he would regard the matter as being one that was outside the talks, the papers were not part of the talks and the matter would not be regarded as having been tabled at the meeting.

30. The DUP queried whether the Chairman had received its letter of response to the Chairman's request for advice. The Chairman indicated that he hadn't, the party said it had lost losing faith in the Chairman's office. The UKUP said it was pleased with the Chairman's response and his removal of the link between the chair and the proposed meeting. The party also said that it was sad that the Government proposed to step in and facilitate a meeting with the group on Monday 7 October. It should be pointed out to the group that they were meeting the real people who had caused the problem with the Northern Ireland economy. The constituent organisations within the group such as the CBI, the Institute of Directors and the Association of Small Businessmen were on record as saying that all the present ills arose as a result of Drumcree. The group had never criticised IRA/Sinn Fein over the past 25 years nor the British Government who had failed to provide security.

31. The SDLP said that with regard to the proposed reply, it wondered whether it would be possible to say that individual invitations should be issued to the party leaders at the talks. Also other groups may seek such meetings in the future and such requests should be channelled through the Business Committee. Labour made the point that the Irish Congress of Trade Unions, who were also a party to the group's request, had consistently opposed violence. The DUP responded by saying that ICTU backed the Anglo Irish Agreement against the wishes of the majority in Northern Ireland.

32. The PUP said that this matter was not even on the agenda and much time had been devoted to it. The party wanted to make it clear that it had not lost faith in the Chairman or the Independent Chairman. It suggested that the meeting should be adjourned until

Monday 7 October and bilateral meetings should continue to take place in the meantime.

33. The Chairman said he did not take the remarks personally. He had full confidence in all the staff of the Independent Chairmen. He proposed to look at procedures within the office to see if these needed tightening up or improvement. He had assumed that the lack of a response to the businessmen's letter indicated that it had been accepted by parties.

34. The UUP said it agreed with the proposal to adjourn the meeting until Monday. The DUP said that it meant to convey that it had lost faith in communications between the Chairmen's office and it. In fact this was the second time that an error had occurred, but it regarded the matter as water under the bridge. It was obvious that the DUP response had not been brought to the Chairman's attention. The party was happy that the problem had been resolved and the principle established that the participants had the sovereign right to decide on such matters. The UUP intervened to say that consideration should be given to employing the provisions of rule 37 in this area.

35. The Chairman said that the parties should continue with bilateral discussions. He noted that two participants had sought an adjournment till Monday. Account had also to be taken of the fact that British Ministers would be absent the following week. The British Government suggested that the meeting should be reconvened in the following week because the parties wanted to make progress in bilaterals. The SDLP wondered if a Plenary meeting was to take place would it be on Monday 7 October? The DUP said it was possible that bilaterals could still continue and possibly into Monday, so it would be preferable to fix the time of the Plenary

meeting at this stage. The PUP suggested 12.00 noon on Tuesday 8 October and that was agreed. The meeting then adjourned at 17.16.

Independent Chairmen Notetakers
3 October 1996

OIC/PS19