

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
WEDNESDAY 16 OCTOBER 1996 (12.34)

McCartney

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 reconvened the meeting at 12.34 and referred to the question raised by the DUP prior to the adjournment. Responding to the DUP, the Chairman said that he had already stated that there was no such thing as observer status. Rule 16 regarding the maintenance of confidentiality by all participants was also relevant to the DUP query. The Chairman said that as far as access to the building was concerned, the British Government made it possible for delegates to receive visitors and he believed delegates thought this to be welcome. Such an issue was not for the chair to rule upon. Access to the conference room itself was, however, an issue for the chair and in this context the Chairman drew the participants attention to rule 28 on representation. The Chairman said that it was for the participants to ensure that only those categories of people highlighted in rule 28 could be brought in to the conference room.

2. The UDP apologised for the incident which led to the DUP query. The person which it had allowed in did not fall into any of the categories in rule 28. The UDP said this wouldn't happen again. The Chairman acknowledged the UDP apology and then turned to the subject of draft records. He said the notetakers had informed him that the draft records from some sessions would not be available for circulation at the end of the week, due to the pressure of business. Those records which were produced from this week would be made available as usual on Friday and be approved at the next plenary. The outstanding ones would be tabled for approval in due course.

3. In returning to complete its earlier address, the UKUP stated there were one or two matters in relation to the UUP paper on decommissioning which it wished to highlight at this point. The UKUP contended that the UUP paper appeared to be moving away from the position of going for decommissioning and instead to a redefinition of the terms for a new IRA cease-fire. The UKUP referred to paragraph 5 of the UUP paper and to the language of the first sentence. The UKUP said that if the word "permanent" was used in this sentence, this would remove much of the arguments and hence ease the debate on decommissioning. The UKUP said it seemed that only two words needed to be used in terms of obtaining a new cease-fire - complete and permanent. The word complete would cover all aspects of violence: bombs, murders, shootings and even punishment beatings. The real word, however, linking decommissioning with a new cease-fire in terms of the durability of the latter was "permanent". If the word permanent was used then there could be no objection to decommissioning coming immediately after a permanent cease-fire.

4. The UKUP said the correlation between a cease-fire and the terms for decommissioning was clear. The political process should construct terms for an immediate decommissioning which were not, in any way, related to political progress or non progress. The party stated, however, that it simply wasn't possible just to declare a permanent and complete cease-fire. It had to work in practice by declaring that such a declaration must be accompanied by physical decommissioning plus an undertaking that such decommissioning was in no way related to any political negotiations. If this sequence of events didn't occur, in particular allowing the terrorists to link decommissioning with progress on the political front, then it simply established an absolute and total lack of faith in the democratic process. It would become a fraud, subverted by those who wished to make progress in the talks on the basis of disgorging weapons only when such progress was to their liking.

5. The UKUP stated it couldn't accept this position and no one else should accept it either. The party said that, in fairness to the UUP, its paper had referred to further restrictions being placed on Sinn Fein. But these seemed illogical when closely examined as the appropriate phrases didn't actually say that the terrorists' good faith could best be evidenced by a process of actual decommissioning. The next paragraph also demonstrated illogicality, for if Sinn Fein did declare a complete and permanent cease-fire and gave evidence of good faith by handing over some weapons, the other conditions listed would be of little account. However this paragraph didn't refer to earlier UKUP comments (on decommissioning not being linked to political progress) but rather the wording had been carefully and skilfully engineered to allow the UUP to drift along the lines of paragraphs 34 and 35 of the scenario document.

6. The UKUP again said that in looking at the UUP paper it detected movement away from recognising that a positive act of decommissioning, unconnected with political progress, was required. What the language did represent, in the UKUP's view, was a drift towards a fourth strand and a burial ground to enable decommissioning to be put away. The UKUP stated that it understood that the UUP had agreed with the British Government on some form of rules or principles for Sinn Fein to meet before entering the talks. These, however, must be put on the table for everyone to view because there could be no acceptance of any alternative to decommissioning unless these proposals were put up front.

7. The UKUP said that whatever these proposals were, they had to be relevant and material to any agreement arrived at on decommissioning and they had to be affirmed by all participants. The DUP intervened at this point, suggesting that the UUP paper seemed to be offering a half way house for Sinn Fein. The DUP said this was of no use to other delegates in so far as achieving real progress on decommissioning. The UKUP said that it appeared the UUP failed to see that if Sinn Fein got into the process, no one would get them out. For the UUP to suggest, by way of these conditions, that Sinn Fein could enter the process after it was sanitised by these proposals was absolute folly. Just imagine the political capital which Sinn Fein would gain if it achieved entry to the process on this basis! The UKUP said this was simply not a credible alternative. Once Sinn Fein was in, that was that. Partial entry, as apparently proposed by the UUP paper, was not something which could be a reality.

8. The UKUP then turned to the agenda which it recalled had been accepted by the UUP and voted through in the early hours of Tuesday morning. It stated that item 2 only referred to issues pertaining to the report of the International Body, despite suggestions earlier in the week that other proposals could be tabled and discussed. Having already dissected the Body's report in detail and highlighted its concern with it, the UKUP referred to the Governments' document on decommissioning dated 30 September and asked where the references to any other proposals (other than those of the International Body) were mentioned in it. There were none so this showed that the two Governments were only interested in discussing the Body's report. Comparisons between the scenario document of 6 June and the paper of 30 September showed the Governments' determination to have paragraphs 34 and 35 of the International Body's report back in the agenda under item 2.

9. The UKUP said that this single item agenda presentation was a recurring theme. The International Body's Report was the sole focus of the Governments' plans. There would be nothing to prevent other proposals being produced and comment being made on them, but the one which would be pushed through was the report which contained paragraphs 34 and 35. The UKUP stated, however, that such proposals could only be pushed through if the UUP and loyalist parties supported such an approach. While there might be reasons for doing this within the talks environment, the UKUP stated that this would not work in terms of pro-union electorate in Northern Ireland. The UKUP said that item 2(b) was produced in such a way as to ensure that no agreement could be arrived at on decommissioning because item 2(a) only provided for discussion.

10. The UKUP said that the illogicality of this point was borne out by item 2(b) which referred to agreements which were not yet

in place. The party said that it was not intended to have such agreements in place before the end of the Opening Plenary Session. "Agreement" in this context was simply a farce and was much like the Government's view of "addressing" which was only concerned with talking, rather than analysing, studying and making proposals as well as deciding what action to take on the issue. The Government's plan was to address decommissioning in this way until the end of the Opening Plenary Session and then a sub-committee would be formed to reach agreement on mechanisms. The UKUP stated that "agreement" would not occur during the course of this debate and it hoped the UUP understood this position. There would be no agreement in principle, only the sub-committee would decide this. The difficulty here was that the sub-committee could go on for ages, thereby avoiding agreement in principle. The UKUP said that perhaps others would disagree with this analysis but all it could do was to ask participants that, for whatever reason, they wished to go along with the contents of the agenda in this form, they did so with their eyes fully open.

11. The UKUP said that decommissioning was being buried by both Governments with the assistance of others. What had actually happened, in its view, was that the Government had bought the acquiescence of the others, including the UUP. The party recalled a statement made by Douglas Hurd, former Northern Ireland Secretary of State, when he had reportedly commented on "obtaining the acquiescence of the UUP and not its consent". The UKUP said consent was one thing; acquiescence was another and was based on not having the power to resist. The measures promoted by the Government were about obtaining the acquiescence of the pro-union community. If this was the case then the Government should admit it. Item 2 on the agenda was all about this.

12. The UKUP said that the participants should really be thinking of what the Alliance paper had detailed in its paragraph 2. The SDLP and the Irish Government, in their quest for an accommodation with Sinn Fein, were the ones rotting away the foundations, weakening democracy by lying down and supping with violent terrorism. The process of decommissioning was being buried in a mass of documents which meant anything to anybody and was reminiscent of the humpty dumpty scenario. The UKUP said it did not intend to put forward detailed proposals on decommissioning at this time, but intended with its opening remarks to clear the sight of delegates to what was really going on. The process, from peace, to all-party talks, to "multi-party-talks", to "political talks", had been built on absolutely false foundations. Ninety-five percent of the community pre-1993 wanted no truck with violent people pursuing an aim of a united Ireland. Now, however, as a result of this process, the community was more divided since 1993 than ever before. By including Sinn Fein in it, the UKUP said that the process would begin to destroy the social and democratic fabric of Northern Ireland. There had been more commercial and communal strife in recent times than in the last number of years and the UKUP did not want to be part of a process which generated this. If the basis for bringing Sinn Fein into the process was through a decommissioning process which wouldn't happen, then this wouldn't be accepted by the pro-union community.

13. The Chairman proposed an adjournment of the meeting until Monday 20 October and suggested that business not go beyond 18.00 on that day. The DUP asked about the timing of business later that week as the State Opening of Parliament was taking place on 23 October and a number of participants would be attending this. The UUP stated that, in considering next week's business, it was evident that more papers were likely to be produced and time was

needed to review these as well as deal with numerous points arising out of long debates. The UUP questioned whether it was wise to set aside 23 October for plenaries, given the earlier comments, although this didn't mean that the process couldn't be getting on with other matters.

14. The DUP agreed with the UUP view that more time should be allowed for preparation. Alliance asked for some indication from other participants as to when they would be submitting their papers, since the UKUP had now had the opportunity of commenting at length on its paper and that of the UUP's. The British Government acknowledged the DUP point and suggested that on foot of the UUP proposal, the following Wednesday might best be set aside for business other than in plenary, although, if necessary, a Government Minister could be available if the wish of the meeting was to have plenaries on 23 October.

15. The Chairman said that as regards the timing of business for the following week, he would put the DUP proposal, modified by the UUP to the meeting. It was unanimously agreed that the next plenary session would take place on 21 October at 12 noon, running until 18.00 and that no plenaries would take place on 23 October. With this the Chairman adjourned the meeting at 13.19.

Independent Chairmen Notetakers
22 October 1996

OIC/PS26