

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -  
MONDAY 27 JANUARY 1997 (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 convened the meeting at 12.10 and on behalf of his two colleagues welcomed everyone back to the first plenary session following the Christmas and New Year recess. The first order of business was to approve the circulated draft records of 10, 16 and 18 December. The Chairman sought approval for these. Labour pointed out its name had been missing from the original distribution around the parties but this had been rectified by the Chairmen's staff. There being no further comment, the Chairman approved the records as circulated.

2. The Chairman recalled the position prior to Christmas when participants had been asked to reflect on the talks up to that point and the prospects for moving the process forward in the new year. The Chairman said he wished to begin by giving each delegation the opportunity to express its views on whatever subject - be it their reflections or the events of subsequent weeks or ideas on how to proceed from the present position. The Chairman

took the opportunity to remind all participants that the business was still concerned with item 2 on the agenda for the opening plenary session. It was in his mind to consider returning to this issue following the general round table comments. The Chairman then asked the British Government for its views.

3. The British Government began by welcoming all three Chairmen back to Northern Ireland and everyone to the first plenary session of the year. The British Government said it welcomed the opportunity to set out its reflections on the situation confronting the process. It stated that some of the reflections had, over the past few weeks, been sombre, others had been relatively positive. In taking the sombre reflections first, the British Government said it had seen the tempo of the renewed IRA campaign in Northern Ireland quicken and strengthen. Vicious and deadly attacks, intended to kill and maim, had been made with increasing frequency and variety. The attack involving Nigel Dodds was typical in its demonstration of the IRA's cynical exploitation of what was already a trying time for Mr Dodds and his wife, and its callous disregard of the potential consequences of unleashing lethal violence within a hospital for sick children. Continuing the British Government said that fortunately, the attack was also typical in that it failed to achieve its objective, foiled - like so many others - by the alertness and skill of the security forces. It said that the IRA's decision to revert to the failed tactic of terrorism was immoral, counterproductive in terms of its declared objectives and served to show that the Republican Movement had at this time rejected the opportunity to make a constructive contribution to the cause of political stability and lasting peace in Northern Ireland.

4. Secondly, the British Government referred to the worrying evidence that the loyalist cease-fire was, at best, under

considerable strain. There were potentially serious consequences for the ordinary decent people in Northern Ireland if the loyalist paramilitary organisations were to drop the restraint which they had observed since October 1994. One could easily see an escalation of sickening tit for tat murders as each side sought to devise a spurious justification for the other's horrifying brutality. Continuing with its third sombre reflection, the British Government said that in the discussions which it had had with all the parties and with the Irish Government over the past two weeks, there was very little sign of any of the participants being prepared to move away from the firm positions of principle each held on the issue of decommissioning. Since "addressing" the issue of decommissioning had to be completed before finalising the comprehensive agenda and launching the substantive political negotiations, it meant that the process continued to face a serious obstacle, which might indeed become a stalemate.

5. Moving on to less gloomy reflections, the British Government said that over the past two weeks in particular it had detected a widespread realisation of the urgent need to demonstrate that there was a valid and effective democratic alternative to the paths of violence, terrorism and intimidation. This had been matched by a growing determination, on the part of most of the parties it had spoken to as well as the Irish Government, to seek to make real progress in the talks at the earliest possible moment. It said that the Prime Minister (Mr Major) had been quoted last week as having reiterated his determination to devote as much time and energy to Northern Ireland after the election as he had done to date. That didn't imply that progress was not expected before the election - quite the reverse. The British Government said it would be working to secure significant forward movement at the earliest

possible moment, and was delighted that so many of its fellow participants were of the same mind.

6. The British Government continued, stating that a further positive reflection was that, whatever the difficulties currently facing the process, it believed that everyone was at least on the right path. The negotiations provided the opportunity to reach a functioning political accommodation which would provide the best basis for long-term stability and lasting peace in Northern Ireland. All the participants had objectives which could only be achieved in discussions which, as provided for in the rules of procedure, addressed all the main sets of relationships and all issues of real concern to each participant. The British Government said that the process had the potential to enable each participant to achieve its basic objectives, while protecting its fundamental interests. It had the capacity to produce a shared understanding on constitutional issues, new political institutions for Northern Ireland with real powers, a vastly improved relationship between the two parts of Ireland and a new and more broadly based Agreement. All that would contribute immensely to the permanent end of terrorism and it did no harm, from time to time, if everyone lifted their eyes from the stony path to see where the process was heading. The British Government continued saying that over the past two weeks, there did seem to be a few chinks of light which might indicate the potential for a measure of agreement on the sensitive and difficult subject of decommissioning. Given the renewed determination to make progress which it had alluded to earlier, the British Government believed that it would certainly be wrong to conclude that further progress could not be made on this issue over the coming days and weeks, thereby moving towards substantive negotiations in the three strands.

7. The British Government recalled the Chairman's pre-Christmas remarks about exploring the potential for agreement on item 2 of the agenda and considering whether it would be appropriate for him to bring forward proposals under rule 30(a). The British Government stated that it would be very pleased to share its own assessment with the Chair, as the process continued to explore the scope for agreement on certain details with relevant participants. The British Government was also interested to hear others' reflections, but for its part it intended to propose a further intensive period of bilateral discussions during which the scope for reaching an early determination in respect of item 2 at least could be explored. There were difficulties to face but it was confident that with sufficient will and determination progress could be made. The necessary will and determination would not be lacking on the part of the British Government: it would be doing all it could to assist progress.

8. The Irish Government took the opportunity to welcome back all three Chairmen. It said it also wished to join with the British Government in deploring the attack on Nigel Dodds coming at such a bad time for his family circle. The Irish Government very much regretted the incident. The Irish Government continued, saying that it was a matter of deep concern, as it knew it was to all delegations present, that after seven months of talks, the process had yet to move on to the substantive political issues facing it. It said that the process must be concerned that the failure to achieve progress could add further to the mood of pessimism which was rapidly displacing the air of optimism evident in Northern Ireland only a year previous. Much time could be spent apportioning blame for what had happened. There was no shortage of argument and counter-argument. However that was, in its view, a sterile exercise. The real question was how to prevent the slide

back into a trough of despair and how could participants respond positively and constructively to the situation in which they now found themselves.

9. The Irish Government said that all could contribute in a number of ways. First, everyone could seek to demonstrate again that the political process could work and that it was the only viable means to achieve a political accommodation with which all could identify. Secondly, everyone must continue to make clear their total rejection of violence, and join in a common effort to ensure that it did not succeed. For its part, the Irish Government would do so unreservedly. Thirdly, everyone could offer those who had either resorted to or condoned the use of violence to achieve their political goals, the opportunity to enter into a viable political process on the clear understanding that they did so solely on the basis of their democratic mandate and a commitment to exclusively peaceful means.

10. The Irish Government said that both it and the British Government would continue to ensure that the security forces were active in preventing paramilitary violence and in bringing to justice those who were guilty of it. But what about the other responses it had just referred to? Certainly, everyone had made clear their rejection of violence. But had everyone tried sufficiently hard to demonstrate that the political process could work? In that regard all could and must do more. The Irish Government said that the process had resumed in a deadlocked position, as had been the case since early October, on how to deal with the decommissioning of paramilitary weapons. The irony was that everyone wanted to see this happen, and as soon as possible. The problem was that the process could not agree on whether or how to take negotiations on this issue forward in a realistic way that

would achieve the actual goal. Both Governments had sought to deal with this difficulty before the talks began by inviting an International Body to examine the question. The Body reported just over a year ago and both Governments had indicated their willingness to accept the approach outlined in the report. The Irish Government said that both it and the British Government would continue to abide by that position. The Irish Government continued saying that it was not blind or insensitive to the concerns underlying the more ambitious demands of some parties on the decommissioning issue. It did recognise the suffering of those who had been the victims of political violence. Every effort had to be made and was being made to detect and bring to justice those who held illegal weapons, but everyone had to realise that the goal being pursued here was more fundamental still. The Irish Government said it wished those who resorted to the use of paramilitary weapons to recognise the futility of that approach, and to accept that the exclusively political path was the way forward. It wanted them to engage in democratic negotiations and, on that basis, to decide themselves to decommission their weapons. This approach conformed exactly with the Mitchell Report.

11. The Irish Government wanted to ensure the obsolescence of paramilitaries and their weapons by addressing the political issues which had brought them into being. It said it wanted to make a start to this as soon as possible. Considerable efforts had been made to seek a way forward on the issue of decommissioning. Unfortunately it seemed that a breakthrough on this item had yet to be achieved. This was regrettable, but it need not be a cause for despair. The Irish Government said it was ready to play its part in any effort to resolve the decommissioning issue as long as it conformed to all aspects of the Mitchell Report. It saw no point in entering into any agreement on decommissioning which would have

the effect of ensuring that decommissioning could not take place. If, at the end of the day, it was not possible, despite everyone's best efforts, to achieve an agreement on decommissioning before the break which would be required at some point to cater for the UK election campaign, this certainly should not signal the end of the process. The Irish Government said that the goal of political agreement was too important for everyone to allow it to be thwarted by any of the difficulties, temporary or otherwise, which inevitably arose in a process of this kind.

12. Alliance also welcomed the Chairman and his colleagues and thanked them for their continuing commitment to the process. The party said it was also very grateful that Nigel Dodds was present and happy that his family had come through a terrible ordeal. Alliance referred to the intervening period since the last plenary and said that the paramilitaries on both sides had been active during that time. It appeared that the IRA was going back to its former campaign with more frequent attacks on the security forces. There had been clear and robust responses to these incidents from both Governments who had stated that democracy and violence did not mix. Alliance stated that there had also been violent incidents during the period connected to loyalists and this caused difficulties for the talks process. The party said that for anyone to consider taking a different approach to this violence as opposed to the IRA's and the implications it had for parties at the talks was wrong. Neither could the Governments or the talks process turn a blind eye to the loyalist incidents.

13. Alliance recalled that, in early 1996, when the IRA became involved in drug-related killings and other activities under various flags of convenience, discussions with Sinn Fein had continued in order to keep the IRA cease-fire intact at that time.



There was therefore, in Alliance's view, a need to draw the attention of the plenary to the current loyalist situation and it requested, through the Chair, that the plenary hold a general discussion on the matter. Alliance stated that it didn't wish to see anyone thrown out or excluded from the process. However debates had already taken place during the talks process on other potential breaches of the Mitchell Principles, so the requirement for a proper debate on the more recent loyalist activity was appropriate and needed. Such a discussion would make it clear that that type of behaviour couldn't continue and unless the parties themselves came away from the perpetrators of the violence, then exclusion would be the result. Alliance said that had Sinn Fein adopted a similar approach of separation following Canary Wharf then some scrutiny of its bona fides would have been embarked upon. Now it was time to make some decisions with regard to the position of the loyalist parties. There were plenty of implications to consider in going down this road but it was Alliance's view that for the process to continue the way it was going was no longer an acceptable position.

14. Turning to decommissioning, Alliance recalled the extensive pre-Christmas discussions on the issue. It said it had hoped that something might have come from the bilaterals and trilaterals but unfortunately this was not the case and no further progress had been made since. They party said it now came to the conclusion that if any progress was to be made then the Chair should take account of both those meetings and the new series of bilaterals and put something forward either during the bilateral phase or in whatever format to see whether it could achieve sufficient consensus. Alliance said it didn't see the process getting any further forward otherwise. The DUP intervened to ask Alliance under what rule of procedure could the plenary hold a general

debate on the position of the loyalist parties in the absence of any formal indictment against them first being submitted to the Chair? The party said this was surely not the business of the plenary when such an issue was outside the business on that agenda.

15. Alliance said the DUP was correct about the mechanics of the proposal, but surely the plenary could discuss whatever it wished to discuss. The indictment process was already well established but surely those procedures did not exclude the plenary discussing the issue on a general basis. Was it now the case that if an indictment was made against the loyalist parties, the plenary couldn't then take on board what Alliance had proposed? Alliance said that, at the end of the day, it had only put forward a proposal, so it was therefore proper to hear what other participants' views were on it before taking a decision. The UKUP said that, in its view, rule 29 provided the mechanics to test the position of the two loyalist parties. A discussion could be held in these circumstances and a determination made. Alliance was only offering a form of discussion in plenary with no likely determination to be made at its conclusion. This simply turned the whole issue and the plenary into a talking shop whereas rule 29 provided for a determination to be made.

16. Alliance returned to the point, saying that if during the general discussion under the proposal, material came to light which might form the basis of an indictment then there appeared to be no problem in proceeding in this way. The party said it had already met with the two loyalist parties and wished to see them again as these were serious matters. However, it wished to make it clear again that it was not forcing the issue of a general plenary debate. The decision was up to participants as to whether they wished to go along with the party's proposal or not.

17. The UKUP said it had sympathy with Alliance's remarks. It recalled Alliance's point that there could be evidence uncovered during a general debate from which some delegations could make an indictment. However, the UKUP said it surely must be the case that if any participant was going to make an indictment, then that participant had to be the British Government, as it had access to a wide range of information. The UKUP said that in its view, the British Government was attempting to throw the burden of indictment on those participants who were not in a prime position to do anything about it. The UKUP said that this had been the British Government's position from day one of the process. The party recalled that during the debate in the House of Commons on the negotiations legislation, it had asked the British Government whether it would assume, in these circumstances, the responsibility of moving for a dismissal as it seemed unfair to put others in the position of undertaking the British Government's dirty work. The party also recalled the British Government's questioning of the two loyalist parties following the earlier DUP indictment where it appeared that it (the British Government) was acting as a defense counsel, thereby creating a situation where it would have been impossible to put a party out of the process. The UKUP said it would fully and totally support Alliance if this was the approach which the British Government would be taking on the issue. The SDLP intervened to ask whether the discussion should return to the original basis as a more detailed debate now seemed to be commencing.

18. The DUP intervened at this point to remind the meeting that it had raised an earlier procedural point with regard to Alliance's proposal. In relation to the loyalist activities, the DUP said it recalled the RUC making statements on the ground at the time

regarding the source of the incidents. Then the Chief Constable issued a statement saying that the attacks had been the work of "extreme loyalist groupings". Now the British Government was saying nothing. The DUP said it was surely up to the British Government to put what was actually known about these attacks before the process. The other participants had no evidence save for the statements made on the ground and the Chief Constable's statement. It therefore seemed to be a much better approach to have the information, which was in the gift of the British Government, distributed to the participants before embarking on any plenary discussion.

19. Alliance said it simply wanted to have an initial discussion on the loyalist incidents. If colleagues wished to hold such a discussion, then that was fine. If they didn't then this did not present a problem either. In terms of the mechanics of the matter, it seemed to Alliance that such a discussion could lead to an issue being raised which could be taken on by one of the participants, made into an indictment and the two Governments could then make a decision on its contents. Alliance said that it just wished to know whether it could raise the issue initially. The party said, like the SDLP earlier, it didn't wish to get into a detailed debate. It just wanted the issue raised and left with the Chair.

20. The UUP said that, on the question of moving forward, the session had commenced with participants being asked to provide an assessment of the overall situation since the pre-Christmas period. The meeting, however, had now initiated a debate on one aspect of many matters which could be raised under the wider format of the discussions. The UUP believed it was undesirable to go down this particular route at this time. Such a continuing discussion would only deflect the plenary from presenting the reflections and

assessment which had been sought from the Chair. The UUP said that following the completion of this overview, the meeting could then come back to debate the specific issue of the loyalist parties. The Chairman sought participants' agreement to proceeding along the lines proposed by the UUP, proposing that no further interventions occur until the round-table overview had been completed. The Chairman said he would then return to the Alliance question at that point. This was agreed.

21. The DUP asked for clarification with regard to rule 29 as to whether it could be accepted that both Governments were participants in the process. The DUP quoted rule 18 which said that any participant would be free "to raise any aspect of the three relationships, including constitutional matters and any other matter which it considers relevant". The DUP said it wished to have a firm ruling from the Chair on this point. The Chairman said that both Governments were participants though the rule itself did not specify who could raise complaints. The Chairmen then asked Labour for its comments and welcomed Mr Curran back after his pre-Christmas illness.

22. Labour commented that it was pleased to see the Chairman and his colleagues back after the recess. In reference to the attack on Nigel Dodds, Labour stated that it had every sympathy for Mr Dodds and his family. The IRA attack was reprehensible, un-Christian and inhuman. It was very much a case of being thankful that no serious injury had occurred as a result. Labour said it was also concerned with the increase in loyalist violence in the preceding weeks, apparently in response to the IRA's increasing campaign - which itself gave a lie to the public statements of Sinn Fein wishing to pursue democratic objectives through peaceful means. Labour said that the loyalist attacks had heightened fear

in the community and the lack of progress in the talks was also adding to tension in both communities. Labour said the common view was that the talks would take second place to party political expediency. It believed there were those who were not really sincere participants. There was a willingness in some delegations to try and find common ground, an accommodation and so on, but this was not the case with others. Labour said the way forward in achieving a lasting peace had been forgotten about. The peripheral issues were becoming more important. Decommissioning, for example, was being used as a stumbling block by some to hinder progress on a wider basis. Labour said it wished to ask those in the latter category to start to work within the spirit of the process. The process could ill-afford to be suspended until after the general election. It was likely that in the main, the same people would be sat around the conference table after the election, so delaying the process for an election was illogical. Labour said that what was required above all was the need for everyone to maintain a spirit of goodwill and to move forward in an attempt to reach agreement.

23. The NIWC wished everyone a happy, positive and progressive new year. It offered its sympathy to both Nigel Dodds and the injured RUC officer following the IRA attack on them at the children's hospital. The NIWC said it was disappointed with recent violence. It also believed that the plenary needed to make better progress with renewed vigour being brought to the proceedings by all participants. The NIWC said it was aware of some participants talking about a premature closure of the process. The party didn't wish to see this. Both communities wanted progress and the Opening Agenda needed to be completed at least before any recess for an election campaign was called. The party said it was ready and waiting to play a positive part in moving the process forward. It

was, however, down to everyone to ensure that this was the case from now on.

24. The PUP said there was a need on everyone's part to realise how bad things actually were. The party was totally disgusted at the rolling resumption of a full-blown IRA campaign. Its timing was even more sickening when one recalled that Sinn Fein had come up with the idea of inclusive, multi-party talks during the period of the cease-fire. It was all too evident now that when the IRA didn't get its own way then it just turned to other methods. Sinn Fein were now attempting to destroy 85% of the popular vote in Northern Ireland. The PUP said it understood the views of people in Northern Ireland in relation to the British Government's relationship with Sinn Fein. There were those in the community who believed it quite possible for the British Government to leave open a back door, thus allowing Sinn Fein's participation in the talks. The PUP said this and other views were theories, more often based on emotional feelings brought forward by some aspect of history or past event. The party said, however, that these theories needed to be tested and the place to do this was at a talks process such as the one now established. Those who didn't want to test such theories had to be left outside the process. The party said that if the IRA was allowed to control the agenda of the talks then this was a disservice to democracy.

25. Turning to the loyalist situation, the PUP said it was wholly dismayed by the increase in loyalist violence. The party had said this before and would continue to say it. The party had said in its meetings with the International Body that it accepted the role as a representative of the CLMC and such a position was taken up by it when the two cease-fires had been established. The PUP was, however, unable to guarantee what way the CLMC would go now that

one cease-fire had been aborted and a renewed IRA campaign was underway. The PUP said the CLMC cease-fire was still intact and the talks process as well as the wider community should be happy with this position. The PUP said it hoped the CLMC cease-fire would not end. It believed the IRA was out on a limb. The Irish Government believed it to be beyond the pale. The task now was to demonstrate the primacy of politics and get down to the job in hand in the talks process and move that process forward.

26. The SDLP said it greatly appreciated the work and patience of the Chairman and his colleagues. The party also offered its profound sympathy to Nigel Dodds and his family. The SDLP continued saying that it didn't believe that the talks process had concentrated enough on the central reason. What was required was stability, the two communities required stability and agreement was needed on the institutions of government. The worst symptom of instability was violence. The party said that rather than wasting considerable time talking about decommissioning, the process needed to be getting on with reaching agreement across the three relationships already defined. Such agreement on institutions could then be put to the people for their consent, thus undermining the existence of violence and giving the unionist community the opportunity to be consulted about any agreement. Such agreement would also undermine the republican position. The SDLP said that it continued to talk to people about getting the violence stopped on the republican side. While these discussions continued, nothing would be better if the talks process concentrated on the fundamental and central issue of devising the means by which agreement could be achieved across the three sets of relationships.

27. The UDP extended its sympathy to Nigel Dodds and his family. The party said the attack on Mr Dodds was particularly ironic since



the IRA had been seeking to murder someone who Sinn Fein had wished to sit down with and move forward on a peaceful basis! The UDP said the situation in Northern Ireland since December had deteriorated. The IRA campaign was regrettable as was the other violence in response to it. The party said it was fundamentally opposed to the use of violence from whatever source. It understood why questions about its integrity were being raised in the current circumstances. The party was quite prepared to sit down with other participants and discuss these questions and related issues. On the wider front, the UDP said there was a need to focus on finding progress in the talks. There were a number of unresolved issues on the agenda and the party had been disappointed to learn during the last two weeks that the bilateral and trilateral meetings appeared to have failed. The party said there was an overwhelming need to overcome these obstacles and make progress; otherwise the process simply fell into the IRA's agenda. The party said it too had heard rumours of a suspension of the talks in preparation for a general election. While it understood the rationale for a break, in the meantime a focus should be established in order to pursue agreement. There should be no talk of suspension while the search for agreement continued. Such a signal would be a deeply unfortunate one and would be viewed as the participants abdicating their responsibility for democratic progress. The UDP reaffirmed its position in relation to speaking to other participants regarding its continued participation at the talks. It was quite content to do this. It was equally content to apply itself to the agenda items but the key question was to decide what the process should do next.

28. The DUP expressed its thanks to all those who had offered their good wishes and support to Nigel Dodds and his family. The party said its position was crystal clear: what was in question was

the impartiality of the British Government. The DUP said it had listened to an IRA spokesperson making a statement in relation to the talks process. The party said it knew the position of the British Government with regard to Sinn Fein. It (the British Government) wanted to get Sinn Fein into the talks at any price. The party said it was also interested in the Chairman's earlier remarks regarding his interpretation of the word "participant". The party said it took this to mean that anyone could make a formal representation under rule 29. The DUP said in those circumstances it would wish to have a 20 minute adjournment when this discussion was finished to consider the Chairman's comments further. The Chairman intervened to say that he had only read out the contents of the rule. He had not provided an interpretation of it.

29. The UKUP said that an overview had initially been asked for at this point in the discussions. The party said that when a process set new depths of antagonism in both communities it seemed odd that it should be described as a "peace process". It also seemed odd that, under the British Government's own admission, the proper course of action to take was to talk to the perpetrators of violence. The party said it wasn't just it that supported these views. The UKUP turned to a newspaper article from Professor John Murphy of University College Cork and quoted from a section of this. The article stated that what was needed most in Ireland "was peace between the conflicting communities in the north, and harmonious relations between north and south. These relations were best promoted by social, cultural, sporting, scholarly and commercial co-operation and contacts." The UKUP said that what should not be happening was exactly what the process was attempting to undertake. Quoting again from the Murphy article to reinforce the point, the party said "the enemy of this true peace process is politics and political institutions. The so-called aspiration to

political unification, whether in its militarist or constitutional form as embodied in Articles 2 and 3 of the Constitution militates against the prospects for peace". The UKUP then asked why did the SDLP leader continue to meet and talk with the IRA? Quoting further from the Murphy article the party said "in this connection it is difficult to understand the Hume/Adams liaison. In one way John Hume is the modern European man par excellence and he certainly would wish to be seen as such. He is forever proclaiming the peaceful benefits of a post-nationalist Europe, as a model for a post-nationalist Ireland. What is important, he insists, is the breaking down of cultural and mental barriers: territorial borders are irrelevant. And yet he liaises with a party which cherishes the objectives of territorial nationalism in a violent form." The UKUP said it was also interesting to note what Murphy had written about the involvement of the Republic in the affairs of Northern Ireland. Quoting again the party said "The State has already involved itself too much in the politics of Northern Ireland. We should query the received wisdom that Dublin's role in the north under the Anglo-Irish Agreement has been a good thing. It has been convincingly argued that the Agreement alienated one Northern community without pacifying the other. Since then, the Downing Street declaration and the Framework Document have bogged us deeper in the Northern mire. At the purely administrative level, for example, do we in this already excessively bureaucratic small island really need another complicated and expensive overlay of cross-border institutions just to indulge the ideological whims of a few and appease a threatening minority"?

30. The UKUP said that the above position was what the Framework Document intended to do. In moving on to earlier comments from the Irish Government on decommissioning, the party said that it (the Irish Government) had again presented the view that if there was no

voluntary decommissioning then there would be no decommissioning at all. The UKUP said that what this statement really meant was that if you wanted the IRA to decommission voluntarily, then one had to accede to its objectives for which it used its weapons. The party said that if this was the position, then it was best forgetting about decommissioning and instead going home as no pro-union party would ever sanction an agreement in those terms. The UKUP said that nothing had changed since the UUP document was submitted on 12 November. The three main conditions in that document (a complete and permanent cease-fire; a significant tranche of arms to be handed over as evidence of good faith as well as the declaration of a cease-fire, and no connection between decommissioning and political concessions) were still relevant and the bilaterals both before and after Christmas had not altered this position. The UKUP said it believed that decommissioning was a central issue in the process. It had to be addressed and the principles determined. If this was the case then the questions hanging over the continued participation of the loyalist parties became irrelevant. Either way they measured up or they didn't.

31. Returning to the issue of the loyalist parties, the UKUP said that it would not be moving any bill of indictment. The party hadn't done this to anyone in the process and the party wasn't concerned with excluding/including anyone. The key point of focus in this context was whether the proceedings were appropriate for democrats. The party said the British Government was ideally placed to make that judgement. The British Government could not remove the moral burden and means at its disposal to make a decision and place it, for political reasons, on others who were not suitably placed. The matter was firmly in the gift of the British Government. The UKUP said it could see why the British Government wanted to pass the buck. It also understood Alliance's

point on this in not pushing for an indictment because in the final analysis any party would be subject to the reverse force of terrorism. The UKUP said that a party excluded under those terms would immediately point the finger at the party responsible for the exclusion. The UKUP recalled that, at the time of Canary Wharf, some claimed it was the British Government which had been responsible, not the IRA. So it would be the same in similar circumstances within the talks process and that was why there was an understandable reluctance to pursue such action.

32. The UUP welcomed back the Chairman and his colleagues. The party said that in considering the wider situation one had to take account of the rolling resumption of the IRA campaign. One also had to take account of the fact that the process seemed to have reached an impasse on decommissioning before Christmas. The party said it was quite prepared to continue with these substantial efforts but one had to recognise the underlying problems. There were those who held to the position that while Sinn Fein was not present at the talks, then those talks were meaningless. There were those who had tried to rearrange the issue of decommissioning so that Sinn Fein/IRA could come into the talks without establishing a peaceful commitment. The UUP said that those who were doing this were trying to change the nature of the process. The party said that one had to look at the legislation underpinning the talks process. Technically the opportunities were there for Sinn Fein to enter the process, but one had to look at the practical realities of violence occurring over the last eleven months since the cease-fire ended. The UUP said that the process needed to continue to go forward on the basis of realities and not illusions. The party was prepared to continue to look at issues in this way but the impasse on decommissioning wouldn't be resolved until everyone accepted the practical realities.

33. The UUP said there were also realities which had to be faced in relation to the general election campaign. There were a number of people around the room who were likely to be heavily involved in this so the question which had to be asked was how was the process going to proceed until the start of the formal campaign was signalled? The party said that decommissioning could of course be looked at, but it doubted whether much else beyond this could be handled. The UUP said that it believed the process should continue rather than be allowed to collapse and therefore everyone should be prepared to explore all aspects of building confidence around the table.

34. In relation to the loyalist parties, the UUP said it very much wished to see the CLMC cease-fire maintained. However this needed to be pursued on an honest basis; there could be no double standards. The UUP said it would try to encourage and assist those who were trying to maintain the loyalist cease-fire. If the cease-fire broke down then there were other mechanisms in place to deal with that eventuality and the position of the loyalist parties. The Chairman enquired about the DUP request for an adjournment. The DUP said it would withdraw this since lunch-time was now upon everyone.

35. The Chairman asked that participants return at 14.45 to discuss two issues. First, the request by Alliance for a general plenary debate and, secondly, to discuss how to progress business under item 2 of the agenda and in particular the British Government's proposal to move into bilaterals. The SDLP expressed its sympathy to Sir Oliver Napier (Alliance) on the death of his brother. The DUP said that its leader would be unavailable for the afternoon session due to a function being held in the House of

Commons. The SDLP said it assumed that the morning proceedings were confidential, yet it had been disturbed to learn that the media was already carrying details of the debate surrounding the position of the loyalist parties in news bulletins. Alliance said it had made its position crystal clear long before today's proceedings as to why it wished to have a general debate on the issue. With those comments, the Chairman adjourned the meeting at 13.45.

Independent Chairmen Notetakers  
30 January 1997

OIC/PS60