

Office of the Independent Chairmen

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SUMMARY RECORD OF PLENARY SESSION - TUESDAY 17 FEBRUARY 1998 (1410) - DUBLIN CASTLE

Those present:

INDEPENDENT CHAIRMEN	GOVERNMENT TEAMS	PARTIES
Senator Mitchell	British Government	Alliance
Mr Holkeri	Irish Government	Labour
General de Chastelain		Northern Ireland Women's Coalition
		Progressive Unionist Party
		Sinn Féin
		Social Democratic & Labour Party
		Ulster Unionist Party

1. The Chairman convened the meeting of plenary which he proposed would proceed as follows: he would call on the two Governments for their initial remarks. Sinn Féin would then be invited to respond, should they wish to do so at that time. Following any response by Sinn Féin, there would be a tour du table in the usual manner, with each participant given an opportunity to make a statement without interruption. There would then follow a general discussion. Sinn Féin would then have another opportunity to respond if it so wished at that time. The Chairman said the procedure he had outlined was consistent with that which had been adopted in previous comparable circumstances. The Chairman then explained that Sinn Féin had approached the chair just before the start of the meeting to request that it be recognised first to request an adjournment of the plenary. He said he had agreed to do so.

2. Sinn Féin said it had approached the Chairman and the two Governments prior to the start of the meeting to inform them of what it would now say. The party was seeking an adjournment in order to receive legal opinion from its senior counsel. Sinn Féin said it regretted that the energy which was now being directed at getting it removed from the negotiations had not been channelled into achieving progress in the talks. The party said it was frustrated at the delays which this matter had brought and, accepting that other participants felt similarly, thanked them for their patience.

3. Sinn Féin said it had received advice on a range of matters which would allow the party to take legal action at this time. There was also an option to take action when the proceedings concluded. There was an additional option to take legal action if the party were ejected from the talks. Sinn Féin said it was extremely reluctant to take legal action for obvious political reasons. In coming to a decision on this issue, the party would be bound by a meeting of its Ard Chomhairle. Such a meeting had been summoned to take a view on the matter. However, before they could come to a decision it would first be necessary to receive a second legal opinion, which they were now awaiting. When this had been received the party would have to make a political judgment as to how it would proceed. Sinn Féin said it did not expect an indefinite adjournment but hoped for a reasonable one at the call of the Chair. The party would try to come back to the Chairman in a matter of hours.

It was moving heaven and earth. The party said that it was persuaded that it had a very clear case in one instance. Sinn Féin said it had asked, on legal advice, for any indictment the previous weekend. It did not wish to delay proceedings, and undertook to revert to plenary as quickly as possible. The party said that it might not take legal action; this was down to its best judgement. It said its purpose was clear. Sinn Féin said it believed it had a contribution to make to the talks and this was its objective. It said it would leave its request to the judgment of the chair.

4. The Chairman asked Sinn Féin if they were able to be more specific regarding when they expected to receive their legal advice. Sinn Féin said it would not be necessary to wait until the following day. The reason for the delay was the need to receive advice from counsel, and not the meeting of the Ard Chomhairle, which was the party's own responsibility.

5. The Chairman said that, under the Rules of Procedure [Rule 20], participants were entitled to an adjournment of up to 20 minutes' duration as long as they did not abuse this privilege, which Sinn Féin had not done. An adjournment for longer than twenty minutes was at the discretion of the chair. The Chairman proposed that the plenary adjourn for 35 minutes, until 1500. During this time he would ask Sinn Féin to be more precise as to when it could expect to proceed, and consult with the other participants and the two Governments. The Chairman said

he wished to balance the desire to be as fair and accommodating to Sinn Féin as to other participants while recognising the need to proceed with the business of plenary. In the circumstances, he believed the proposal he had outlined to be the most reasonable course of action. The Chairman adjourned the meeting and asked all participants to be immediately available.

Adjourned at 1424.

Independent Chairmen Notetakers
11 March 1998