

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -
WEDNESDAY 19 FEBRUARY 1997 (10.12)

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 10.12 and stated that the first order of business was the approval of draft records from 4 and 12 February. On hearing no objections, the Chairman approved both as circulated.

2. Moving on, the Chairman stated that as a follow-on from last week's plenary, both he and his two colleagues had met with most of the parties and had solicited advice on how to proceed in the current circumstances. The Chairman stated that all three Chairmen had been advised that no agreement had been reached with any of the participants in terms of item 2 of the agenda. Discussions, however, between some participants were ongoing and the Chairmen had been further advised that, although no agreement had been reached thus far, there appeared to be merit in allowing these exchanges to proceed. The Chairman said that, during his meetings, several participants had actually suggested allowing more time for discussions in an attempt to see whether some limited agreement could be obtained with the view of reporting back progress to the

plenary next week. The Chairman said that while he was content to put forward this proposal, it was the custom to hear the views of all participants on it. As with the previous plenary meeting the Chairman asked that the starting order for participants' comments be varied and then proposed that the SDLP begin the tour de table.

3. The SDLP said it was willing to continue in discussion with other participants. It also wished to put on record its appreciation of the assistance brought by the Chairman and his colleagues in recent days. The party said that it hoped the chair's role could become even more fruitful in future discussions but that for now, its (the chairs) involvement represented a small but significant step. In the longer term, the party said it would like to see the chair's role developed further. The party went on to say that it still hoped that limited objectives could yet be achieved prior to the recess for the general election. Such an achievement could also prepare the ground for the resumption of the negotiations after the election period. The SDLP stated that, with this in mind, it had again looked at agenda item 2 and the helpful suggestions put forward by the parallel group (Labour, NIWC, PUP and UDP). These comments had, in turn, helped to inform the party in its discussion of matters with Alliance and UUP. The SDLP said it was favourably disposed to some of views put forward by the parallel group and wished to pay tribute to it for its input to the process.

4. Continuing, the SDLP said that while there might be some hopeful signs of progress in small areas, the process had yet to make any significant progress on the major issues; it still, however, hoped this was possible. The party said that it had also hoped that the lengthy trilateral meeting the previous day, at which the Chairman and his colleagues were present, would help to

promote progress. Unfortunately, however, the party had since heard, informally, that the UUP was not in a position to reply to the questions put to it at that time. The SDLP said that a greater degree of commitment and seriousness was needed rather than the normal rhetoric when it came to displaying a genuine will to move the difficult issues forward. If no such commitment to progress materialised then the report on progress next week might be of a different order. In the interim the party was willing to continue with the discussions on the basis of attempting to secure limited objectives before the election was announced.

5. The UDP said that some progress had been made, most notably that dialogue was taking place in parallel groups. This constructive dialogue, which had focused on individual party positions on the major issues, had been useful. The party said, however, that it remained reluctant to continue to take part in a process which was not likely to produce agreement. The UDP asked for a re-commitment from all participants to actively work towards achieving some measure of agreement. On this basis the party was willing to carry on and be involved in whatever discussions were necessary to try to achieve further progress.

6. The DUP said that the process was currently in the business of dealing with item 2(a) of the agenda and it didn't understand why some participants were leapfrogging to item 2(c). The party said it believed it was now time to have a full plenary debate on the decommissioning issue, particularly when everyone was aware that the contents of the document, which the trilateral group was unwilling to produce at the request of the party, had now been leaked to the Irish News. The DUP said that as this information was now in the public arena, there was no reason why a full discussion on it couldn't be undertaken in plenary format.

7. The UKUP said that the Chairman was aware that the reluctance to secure a more broadly based agreement on decommissioning was down to the trilateral parties not wishing to make other participants aware of what had been agreed or disagreed in their discussions. The UKUP said that there was the thought that the trilateral group would in fact form some sort of fourth committee to enable the decommissioning issue to be got round. The party said it had already made the point that it would be happy to discuss decommissioning with the trilateral parties provided this was done on an equal basis. But this hadn't been possible. The UKUP said it now appeared that the document containing what the trilateral group had agreed or disagreed had been released to the media by one or other of those parties, though it (the ^{UKUP} UKUP) couldn't say whether the document quoted in the Irish News represented a accurate account of the contents. The UKUP said if it was an accurate account, then it ran contrary to the declared position of the UUP which had been outlined in both its decommissioning paper of 12 November 1996 and a press release issued by its deputy leader on 2 October 1996 in which the concept of transferring decisions to a special committee was described as an arrangement which was "totally unacceptable to the UUP". The UKUP said that the Irish News had quoted the proposal to establish a liaison sub-committee to "interface" between the multi-party talks and the Commission. The UKUP, in referring further to the Irish News article, said that seemingly the issue of decommissioning being handled in a sub-committee was not the bone of contention for the UUP but rather the fact that the committee could have a broader remit to include confidence-building measures such as policing, prisoners, punishment beatings and other community problems. The UKUP said it seemed that virtually everything that was part of the real negotiations would be removed

from the plenary group and be shunted into a fourth strand. The UKUP stated that it would not find favour with such a mechanism nor would the vast bulk of the pro-union electorate. The party continued saying that if the three parties in the trilateral group felt that they each wished to enter such an arrangement, the UKUP would do all in its power to make this decision as widely known as possible because this was a fraud on the electorate. The UKUP said everyone in the process needed to be clear, frank and honest. There could be no secret deals for these would not command widespread approval. With regard to the proposal for a further adjournment of the plenary for discussions, the UKUP said it had noted that several participants around the table were in favour of the proposal, but it had no views to express on the issue as it regarded the matter as having been settled in any case.

8. The UUP said that, with regard to the adjournment proposal, it was a matter of some regret that the process was now in this position. It had hoped by now to make progress but there seemed little option other than to continue with discussions for a further period of time. In regard to earlier UKUP comments, the UUP said that virtually every week, the process was being treated to innuendoes and the casting of aspersions about its (the UUP's) position on certain issues. However the UKUP had recently produced an article where it (the ^{UUP}UKUP) had stated that it was entirely committed to the Mitchell Report. The UUP said that was inaccurate information. Following a brief intervention from the UKUP, the UUP stated, with regard to the remarks by the UKUP on the contents of the press release attributed to its (the UUP's) deputy leader, that that particular statement was accurate at the time and was also accurate now. Moving on, the UUP said it had offered, as part of the trilateral group, a briefing facility to the UKUP in good faith. However a song and dance had been made about this. The UUP

said it might have taken the UKUP's criticism more seriously if it had chosen to undertake the briefing first. The fact that it didn't take up the request was regrettable.

9. In terms of the difficulties facing the process, the UUP said some of the participants were attempting to resolve these. The fact that, thus far, those participants hadn't succeeded did not mean they weren't trying. It was easy for others to snipe from the sidelines in these circumstances. However everyone had to recognise that although discussions continued, there was the possibility that the process might have to concede defeat in terms of making any significant progress. For now, however, the UUP said it was content to accept the Chair's proposals of further discussions in the hope that progress could be made.

10. The British Government thanked the Chairman and his colleagues for their efforts over the last week. It said what had been reported by the Chairman was disappointing news. But some encouragement could be taken from the participants' wishes to continue with discussions and in this sense the British Government welcomed the proposal for a further week of exchanges.

11. The Irish Government also expressed its appreciation to the Chairman and his colleagues for their efforts at attempting to square the circle. It said it believed that some small progress was being made and it was therefore right to support the view that these discussions should continue for a further week. The Irish Government said it wished to thank the parallel group of four for its recent input. This had been a helpful development and one which had been an important impetus to the process. In referring to the murder of Lance Bombardier Stephen Restorick, the Irish Government said it wished to place on record its strong

condemnation of that terrible event and pay tribute to the parents of the murdered soldier for their courage and for the comments made in recognition of the ongoing attempts to reach a lasting peace. The Irish Government reaffirmed its commitment to pursue the terrorists at all times and with all powers at its disposal and referred to the arrests in the Republic the previous day as evidence of this ongoing policy. The Irish Government also stated that its decommissioning legislation had passed all stages in the Dail. It would now go to the Senate next week and would become law by the end of the month. Unfortunately the legislation was now ready before it was required.

12. Alliance made the point that, as far as it was concerned, there were still issues which were worth exploring and, accordingly, it felt that an adjournment for one week, as suggested by the Chairman, was necessary. The party also said that it wished to be joined with the remarks of the Irish Government concerning the murder of Lance Bombardier Restorick. With regard to the general question of progress in the negotiations, Alliance said that when the discussions began, the draft legislation on decommissioning in the two jurisdictions was only in its initial phases. However, the fast pace of implementation of the respective Decommissioning Bills had not been matched by movement within the talks process itself. That process was extremely important and, though it might be flawed in some respects, it was the only process which was underway, the only one in the foreseeable future, and it had to be worked to the fullest extent possible. Any failure in that regard would be to the benefit of those who opposed progress. The process must continue, Alliance said, with a break for the election and a resumption as soon as possible thereafter. The party agreed with the SDLP that agreement on mechanisms on decommissioning, on a comprehensive agenda and on a firm date for

the entry into substantive talks could be agreed by the parties, if the necessary will to do so was present.

13. With regard to the assertion by the UKUP, that the UUP totally supported the Mitchell Report. Alliance said that it wished that that were so. As to the desire by the UKUP to ascertain what the three parties (Alliance/SDLP/UUP) were discussing and where the points of agreement/disagreement were, Alliance said that, had the UKUP been prepared to come to the briefing which had been offered in the matter, all that information would have been provided. The reason why the document being discussed by the three parties had not been released was because it had not been finalised. The material which had been published in the "Irish News" last week showed that the paper did not have the actual text of the document, Alliance said, and it made it clear that the offer of a meeting with the UKUP to discuss the matter still stood.

14. Labour thanked the Chairmen for their excellent job of work. Contrary to earlier expectations, in the past week or so, the party saw a glimmer of hope emerging from meetings of the parallel group and it paid tribute to the other parties in the group for their efforts in that regard. It was regrettable that the DUP and the UKUP had not accepted the invitation to talk to the parallel group. Labour thanked the other group (Alliance/SDLP/UUP) for the briefings they had given and the UUP in particular for the clarification it had provided on the difficult problems which the parties had yet to resolve. Labour was of the opinion that there was still a possibility that a way through those difficulties could be found and, as it had stated in the previous week's session, it should be business as usual to pursue that opportunity. Accordingly, it endorsed the Chairman's proposal.

15. The NIWC said that it too was in favour of the Chairman's suggestion. The parallel group had met with the Alliance/SDLP/UUP group and had one-to-one meetings with those parties also. There seemed to be a stalemate in the process, but it would still be useful, the party said, to meet again in bilateral/trilateral formats over the next week to try to tease out the difficulties which were blocking progress. It was to be regretted, the NIWC said, that the DUP and the UKUP did not take up the offer of meetings, but the offer still stood. With regard to the material in the "Irish News", the NIWC referred to the rules on confidentiality and said that it had always abided by those Rules. However, it was now concerned that one of the parties seemed intent on breaking them.

16. The PUP said that participants, in referring to the group of smaller parties, numbered them as four, but in reality there were five such parties. However, one could be forgiven for not seeing the join between them. The PUP was concerned at the inability to reach agreement. It was prepared to continue its efforts for another week but the credibility of the talks process itself was a factor that had also to be considered.

17. That concluded the tour de table of delegates' views on the Chairman's proposal. The British Government then expressed its gratitude for the remarks on the murder of Lance Bombardier Restorick at Bessbrook. It said it wanted to add a footnote in that respect as it had learned that the soldier in his last moments had been concerned about the injuries to the woman in the car. The Government also expressed its gratitude in relation to the achievements of the security forces in the Republic which had led to the seizure of bomb components and explosives and the arrest of several suspects the previous day.

18. The DUP said that all parties would condemn the brutal IRA murder of the soldier as well as the courage of the injured woman who had spoken out so forcefully at the killing. With regard to the question of invitations to talks with the other parties, the DUP said that if it was to meet with the Alliance/SDLP/UUP, it wanted to do so on an equal basis and therefore it had to have sight of the actual document in question, not just the three parties' views on it. The document should be produced at the briefing; it could be taken back at its conclusion. The three parties involved had been made aware of the wishes of the DUP in this regard, and they still had not come back to the DUP in the matter. The DUP also said it was a bit rich for the NIWC to talk about breaches of confidentiality when the detail of what was being discussed in the document was leaked to the "Irish News", and it was clear that one of the parties involved had been responsible for that breach. According to the DUP, no party had indicated that the Irish News account contained any inaccuracies. It wasn't the UUP who leaked the document, the DUP said, so it probably was either the SDLP or Alliance. As far as the DUP was concerned, it believed the latter party was responsible on the basis of previous experience.

19. As to the offer of a briefing by the parallel group, the subject matter involved in their discussions was the mechanisms envisaged in item 2(c) of the agenda for the remainder of the opening plenary session. However, as far as the DUP was concerned, the plenary meeting was still dealing with agenda item 2(a) which dealt with the discussion of proposals. When the meeting came to item 2(c), the DUP said it would be prepared to discuss the matter, but the business at hand was item 2(a) and no ducking or weaving would resolve the difficulty. It was the consistent position of

the DUP, the party said, that a series of proposals on the matter was already on the table for discussion and determination, and the process had dodged the issue of testing whether sufficient consensus exists on these matters.

20. The UKUP reiterated the comments which had been made by the DUP, saying that it was strange that Alliance, Labour and the NIWC had all pointed the finger at the UKUP/DUP for trying to thwart the process. The real position was that both the UKUP and the DUP wanted to deal with item 2(a) on the agenda - discussion of proposals - there and then. The reluctance of the other parties to proceed in this way was illustrated by their efforts to try to cobble something together on the margins of the plenary meeting to frustrate this objective, the UKUP said. The UKUP also said that some parties had referred to the need to take risks for peace. It was time to take a risk now and release the full Alliance/SDLP/UUP document in question for consideration by the UKUP and the DUP. It was the refusal of the UUP to be seen to be aligned with the SDLP and the pan-nationalist front that was holding up the matter.

21. The UKUP referred to the UUP's earlier comments about its (UKUP) alleged misrepresentation of the UUP's position and said that, in fact, it was the leader of the UUP who had stated that he totally supported the Mitchell Report. The UKUP said its researchers were looking for the documentary proof. With regard to the comments by Alliance, the UKUP said that it (Alliance) would be aware that the "Irish News" report referred to a ten paragraph document with specific references as to what had or had not been agreed. If there was anything wrong with the accuracy of the report, Alliance should so inform the meeting, the UKUP said, and provide details of the various proposals that were agreed and what the particular matters of contention were. Alliance said it would

be keen to facilitate the UKUP in these respects and it reiterated the offer of a briefing by the three parties concerned with the UKUP.

22. At this point, (11.02) the Chairman adjourned the meeting as he had earlier proposed to 10.00 on Wednesday, 26 February, 1997.

Independent Chairmen Notetakers
21 February 1997

OIC/PS63