

DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -  
TUESDAY 1 JULY 1997 (14.07)

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<br>Coalition |
|                       |                    | Progressive Unionist Party            |
|                       |                    | Social Democratic & Labour<br>Party   |
|                       |                    | Ulster Democratic Party               |
|                       |                    | Ulster Democratic Unionist<br>Party   |
|                       |                    | United Kingdom Unionist Party         |
|                       |                    | Ulster Unionist Party                 |

1. The Chairman convened the meeting at 14.07. He commenced by saying that the Plenary had been scheduled originally for 11.00 today but late last week some participants had contacted the Chairman's office seeking a later start time so that they could be permitted to attend a Battle of the Somme memorial service at the City Hall during lunch-time. The Chairman said that on foot of this request, his office had contacted every participant and no objections had been raised. This was why the Plenary was now beginning at 14.00.

2. Moving on to the previous weeks minutes, the Chairman proposed that these be deferred for approval until the next meeting of the Plenary, whenever that would be scheduled. This was agreed. The Chairman then continued, pointing out that the Government's paper on decommissioning had now been distributed to all participants. He said he believed all participants had now reviewed its contents

and suggested that as a means of beginning the proceedings, he would ask each Government to make a statement, then allow each party an opportunity to comment on the paper without interruption on the first round. This would then be followed by an opportunity for participants to raise questions and give preliminary responses on the paper or any other aspect of the issue. The Chairman asked whether the participants were content with this approach.

3. The DUP intervened saying it wished to have guidance at this point as to whether a debate would be held on the decommissioning document today and, if so, how long would that debate last. Alternatively would a debate take place the following day and would there then be, or at some point shortly afterwards, a determined and deliberate attempt to reach a decision on the proposals? The DUP recalled the SDLP's challenge at the previous Plenary regarding the tabling of its own (the DUP's) proposals on decommissioning and stated it was happy to rise to this by tabling those proposals today. The party said its proposals required no debate but did require a decision to be made on them.

4. The Chairman responded, stating that in respect of timing, this depended largely on how long initial comments might take and how long the Governments then needed to give consideration to the points raised. The Chairman said his own feeling was that the decommissioning issue ought to be resolved in a timely fashion and, in this sense, the DUP's suggestions led him to consider that the Chairmen should undertake a series of meetings with the participants in order to gain views on how to reach a resolution of the issue over the next few weeks.



5. The DUP said it was in some difficulty with the proceedings thus far. The party said it had sat in the House of Commons last week when the Prime Minister had said there would be no changes to the Governments' proposals. The DUP said that the Chairmen should stand by the two Governments' position in relation to no further changes or amendments being made to the document and hence no further clarification being necessarily afforded to Sinn Féin . This was the only way of proceeding with the issue if the party was to believe the "take it or leave it" attitude to Sinn Féin from the British Government.

6. The Chairman emphasised to the DUP that he had not used the words "change" or "amend". He said he believed he had suggested a basic common sense proposal. This would take the form of an oral explanation from both Governments. The remaining participants could then comment on the document. The Chairman asked whether the DUP was suggesting that the parties couldn't comment on the document? This procedure, however, had been successfully deployed on several occasions during the past year and there was nothing different in the Chair's proposal this time. The Chairman asked whether the DUP was proposing a contrary approach?

7. The DUP said it had no problem with participants making comments. The question was if there was a debate on the proposals could participants change or amend them? The DUP said it believed the document could not be changed but it still wished to know whether amendments to it could be tabled. The Chairman said he believed this was the case. The DUP asked whether this was the view of the Governments? The Chairman stated that it was up to the participants themselves to decide how they wished to proceed with

the document. The DUP again stated that it believed the document was now presented in a form which could not be amended or altered.

8. The UKUP said it thought the Governments proposals had been presented on a similar basis to that of an Order in Council. In other words the document was now laid and could not be amended. The party said it had then heard, earlier in the day, that the UUP leader had submitted a lengthy list of amendments/alterations directly to the Prime Minister. The UKUP said it would rather have seen these amendments being conducted through the talks process. What had happened smacked of the situation which the party had described the previous week whereby important discussions and decisions taken elsewhere simply came back to the talks for rubber stamping. The UKUP said that such issues must be dealt with within the talks process, by the party representatives and the representatives of the two sovereign Governments. The party said there could not be continuous appeals to Caesar over the heads of the participants. Nothing was happening within the talks process, but it was happening elsewhere leaving the talks a farce. The UKUP said that what had to be discussed must be discussed in the talks to the benefit of all participants. Moving on, the UKUP said that if the handling of the Governments proposals was addressed properly, it saw no reason why it should only take a few days, rather than a few weeks, as had been suggested by the Chairman. The party said that one could reach a resolution of the document by holding today's discussion and further ones on Wednesday and the following Monday (7 July) since all the arguments on the issue had been aired before everyone over a lengthy time period, through written submissions, proposals, bilaterals and trilaterals. The party said the issue was now down to deciding whether paragraphs



34 and 35 of the International Body's Report could be accepted. What was left were simply finite and succinct points which could be determined quickly. To suggest that the discussion went on until the end of the month was simply not acceptable. The Chairman asked for any other comments on his proposal.

9. The DUP said it hadn't yet received a response from the Governments to its earlier question regarding amendments. The Chairman said he would call on the Governments to proceed, followed by the remaining participants on the basis outlined previously. Following completion of this, all the participants would then decide how to proceed to the next stage and what that next stage should be.

10. The British Government commenced its remarks by welcoming the Irish Foreign Minister and his colleagues to their first plenary session. The British Government said that as there had been some comments recently about its signing up to the Mitchell Principles, despite the assumption that the hand-over of Government was a seamless process, it now wished to highlight that it was now signing up to the Mitchell Principles. Referring to the decommissioning paper, and to the DUP's earlier questions the British Government said it was its understanding that the document prepared presented possible conclusions for consideration by the participants. The British Government said it wished to commend the document to all participants on this basis. Parties were however free to provide alternative proposals to enable the issue of decommissioning to be determined within the conference room.

11. The British Government continued referring to its remarks at the Plenary on 3 June when it had stated that everyone now had an opportunity to re-launch the negotiations with fresh impetus and a renewed sense of purpose and determination. The British Government said its goal in the negotiations was a comprehensive, lasting political settlement which had the broad support of all parts of the community in Northern Ireland. If that goal was to be achieved within a credible timescale everyone must commence substantive political negotiations no later than this September. The British Government said it also made clear on 3 June that it was determined to facilitate the necessary agreement on the issue of decommissioning to the satisfaction of the participants in order to make it possible to set a firm date for the start of substantive negotiations in the 3 strands. The British Government said the Irish Government had given a similar commitment to all of this. The joint paper circulated on 25 June also gave these commitments.

12. The British Government continued saying that the joint paper represented an attempt to build on the considerable efforts which had been made in the months since last October to find a possible basis for agreement on this important, and sensitive subject. The British Government said it recognised that the Chairman and his colleagues and many of the participants worked long and hard and with a measure of success to identify some common ground on this issue. The joint paper sought to build on the progress already made and take account of the clearly expressed views of the various parties. Accordingly the two Governments put forward, for consideration, a set of possible conclusions which they believed could win general support. The British Government said it wished to commend these proposals to the parties. For its part, along



with the Irish Government, it said it would be happy to explain and discuss these proposals in plenary or bilateral meetings as seemed most appropriate. Any of the participants might have points of concern and clarification and, if so, the British Government would be ready to inform. It hoped, however, that it would be possible to move to a determination before too long.

13. The British Government said the possible conclusions were based squarely on the Report of the International Body. The two Governments saw no other way in which the issue could be resolved on a generally satisfactory basis and hence urged the acceptance of their proposals as outlined in paragraph 8 of their document. The British Government said that if Sinn Féin joined the negotiations it envisaged a process in which there would be due progress on decommissioning alongside progress in the substantive political negotiations, generating a progressive pattern of mounting trust and confidence. Continuing, the British Government said that in practical terms, the necessary enabling legislation to facilitate decommissioning was already in place in both jurisdictions and the two Governments proposed that the Independent Commission, recommended by the International Body, should be established alongside the launch of the 3 strands, with a remit to develop draft schemes for decommissioning and put itself in a position to facilitate actual decommissioning as soon as practicable. The British Government said it suggested the establishment of a Liaison sub-Committee of Plenary to liaise with the Independent Commission and a distinct sub-Committee to monitor progress on the other confidence building measures mentioned in the Report of the International Body.

14. The British Government said it envisaged that all participants would commit themselves to work constructively and in good faith with the two Governments and the Independent Commission to implement all aspects of the Report of the International Body, including the compromise approach to decommissioning envisaged in paragraphs 34 and 35. If the "possible conclusions" were agreed, they could not subsequently be re-negotiated and any further party invited to join the negotiations would need to affirm its acceptance of these commitments. Above all, the "possible conclusions" and the covering paper setting out the position of the Governments placed a renewed emphasis on the role of the two Governments in respect of the decommissioning of illegal weapons. The two Governments give a formal joint undertaking to do all they could to ensure that the decommissioning issue was resolved to the satisfaction of the participants as an indispensable part of the process. Both Governments pledged themselves to work to achieve due progress in the substantive political negotiations. Both would seek to carry the whole process along with energy and determination.

15. The British Government said there were many further points of detail in the joint paper which it was sure all parties would wish to study carefully. It looked forward to hearing the parties' initial contributions today to which the two Governments would be happy to give a preliminary response, and then deal with any further points raised, perhaps initially in further discussions with each. The British Government said it would be urging them to reach agreement on the basis of these carefully crafted proposals. In its judgement they met all legitimate concerns. The time had come to reach a determination on these matters. The document went



a long way to removing the obstacles which had arisen over the last 12 months. The British Government said it commended the proposals set out in this joint paper as providing a reasonable and realistic basis for resolving the issue of decommissioning and moving onwards in the negotiations.

16. The Irish Government thanked the British Government for its words of welcome. It said it looked forward to working with all the parties to produce a valid and worthwhile settlement in Northern Ireland. The Irish Government said it was happy to present the paper which it and the British Government had jointly tabled in a determined effort to bring to a conclusion the opening address on decommissioning, and to enable everyone to proceed into 3 stranded substantive negotiations. The Irish Government said that before coming to the paper it might be appropriate for it to set out, very briefly, the broad lines of the policy which it would be pursuing in relation to the negotiations, and to the question of a political settlement for Northern Ireland. It said that, in recent years, a remarkable degree of consensus had developed in the Republic over the fundamental principles which must govern its approach. These principles, and the implications which flowed from them, were set out in the Joint Declaration, the Framework Document, and the draft report of the Forum for Peace and Reconciliation. The Irish Government's negotiating position would be squarely based on these documents, and of course on the six principles of peace and non-violence, set out in the Chairmen's Report, the total and absolute commitment to which it was happy to re-affirm. Continuing, the Irish Government said that from time to time there were, inevitably, differences in emphasis and nuance between the approach of the previous Irish Government and its views

in opposition. More fundamentally, however, it wished to assure everyone that, on the key questions, it would be guided by the same basic documents and by the principles enshrined in them.

17. The Irish Government said it would enter the substantive negotiations seeking a genuinely new political dispensation, based on equality, parity of esteem, respect for human rights, and consent. New structures must be based on partnership: between individuals and communities in Northern Ireland, between the North and South, and between Britain and Ireland. As Prime Minister Blair had rightly said, the outlines of a settlement were reasonably clear, even if many of the details would be fiercely fought over. The priority, as a Government, was to create a lasting peace on the island based on justice, friendship and co-operation between the peoples of different traditions. Immediately the Irish Government said it wished to secure a final and lasting cessation of violence, through the unequivocal restoration of the IRA cease-fire. It had always resolutely opposed violence, from all sources. There was and could be no justification for it morally, politically or even in the republican movement's own terms. It was completely and utterly inimical to the values and interest of the overwhelming majority of the people of Ireland. Equally, however, it had long recognised the need to construct a path out of violence and into democratic politics for those who genuinely wished to avail of it. The Joint Declaration created the basis for a definitive movement in that direction. The negotiations offered the best chance in at least a generation for meaningful and comprehensive dialogue on the many issues which everyone faced. It wished to see Sinn Féin take their place at the table, and represent the views of those who supported them, but



Sinn Féin knew exactly what must happen if they were to join the process. The Irish Government said that a fair and reasonable set of assurances had been offered to them as regards their entry to the negotiations, and as regards the seriousness and honesty of the two Governments approach. This opportunity to participate with everyone else in the construction of a political settlement must now be seized, without further delay or equivocation.

18. The Irish Government said it was also vital that the process moved ahead into serious and substantive negotiations. Those who had not been present around the table over the last 12 months had perhaps the advantage of appreciating the full extent of the bafflement and disillusionment of the public - North and South alike - at the failure to make real progress. The Irish Government knew full well that the issues under discussion were sensitive and highly difficult. Nevertheless, the prize sought - of lasting peace, agreement and reconciliation - was so great that it would be quite tragic, and inexcusable, were the process to fail even to address the real political questions that had to be resolved. As Prime Minister Blair had said, let's get down to the substance without further ado or prevarication. It was with a view to moving, in that spirit, into real negotiations that the Irish Government had presented the joint paper on decommissioning. This was agreed between the British Government and the outgoing Irish Government. But the present Irish Government was fully consulted on its terms in opposition and now, in office, it wholly endorsed it. The Irish Government said it remained fully committed to the total disarmament of all paramilitary organisations, but it was its view, as it was that of the International Body, that it was

unrealistic to expect that decommissioning would be achieved other than in the context of comprehensive and inclusive negotiations.

19. In the paper tabled, the Irish Government said that both the Governments offered a formal joint undertaking that they would do all they could to ensure that the decommissioning issue was resolved to the satisfaction of the participants as an indispensable part of the process. It would be appropriate that others, too, asked themselves how they could best contribute to the achievement of the twin goals of political agreement and decommissioning. What was clear was that the stalemate of the last year had brought neither of these two goals one inch closer. The Irish Government said that process had to surmount this long-standing impasse now. The people it represented would not tolerate any continuation of the impasse in which the negotiations had been stuck for so long. All had a responsibility to make progress here. The Chairman intervened at this point to ask for respect for those speaking. Continuing the Irish Government said that the decommissioning paper was the result of intensive discussions between the two Governments. It represented a carefully considered and, in its view, balanced set of proposals on how to proceed. It was based firmly on the Report of the International Body, which it continued to believe represented the best, and the only realistic, basis on which to proceed. The Irish Government said the paper was structured in two parts. The first of these set out the position of the two Governments and it was clear that all participants would not be involved in the achievement of decommissioning in the same way. The two Governments recognised the responsibilities they had, in particular, to carry the process forward so as to build confidence among participants without blocking the negotiations.



The Irish Government said it also recognised its responsibility to act so as to ensure that appropriate mechanisms were in place to make sure that the modalities of decommissioning, as set out by the International Body, could be implemented without delay at the appropriate time. To this end both Governments had also enacted the necessary legislation. No delay in this process would be due to any failure by the two Governments.

20. The Irish Government said it also recognised, once again, the importance of the six principles of democracy and non-violence as a necessary starting point for the negotiations, and the necessity for all participants, including any party which might join at a later date, to subscribe to those principles - as all now present had done. It would likewise require any party newly arriving at, or returning to the negotiations to subscribe to any commitments entered into by participants as part of the conclusion to the address to decommissioning. The second part of the paper proposed a set of conclusions on items 2(a)-(c) of the agenda for the remainder of the opening plenary, to which all participants were invited to subscribe. These conclusions were largely based on the propositions advanced in the first part. They set out a series of commitments to be entered into by participants, current and future. They provided mechanisms for achieving further progress on decommissioning. The terms of reference for an Independent Commission, and for a Committee of the Plenary with two liaison sub-Committees, one on decommissioning and one on confidence building measures, were also proposed.

21. The Irish Government said it remained convinced that the way ahead lay in the implementation of all aspects of the Report of the

International Body. It urged all participants in the negotiations to commit themselves to work constructively and in good faith with it in efforts to secure such implementation. The Irish Government said it had proposed mechanisms through which this objective could practicably be achieved, and which would facilitate the necessary interaction between progress in comprehensive and inclusive political negotiations and progress on decommissioning. The Irish Government said it joined the British Government in commending the proposals to the participants and urged their acceptance as a basis for resolving the address to decommissioning as envisaged in their joint communiqué of 28 February 1996. The Irish Government added that in relation to the questions regarding amendments etc it agreed fully with the strategy and comments offered earlier by the British Government.

22. The DUP said it had listened earlier to the affirmation by the new British Government to the six Mitchell Principles and had heard the Irish Government do likewise. It said it understood the Chairman now had a duty to perform. The Chairman sought clarification from the DUP. The DUP provided clarification for the Chairman, suggesting that on past occasions, the Chairman had indicated his satisfaction with those affirming their commitment to the six Principles. The Chairman then indicated his satisfaction with the two Governments earlier statements.

23. Alliance welcomed the new Irish Government delegation to the talks. The party said it had always held the position that the Report of the International Body was the only realistic and practical way forward in dealing with decommissioning. Alliance said the Report of the International Body should be implemented in



full. The party said it welcomed and supported the joint Government paper and urged others to do likewise. Alliance continued saying that the issue of decommissioning was only relevant if and when those groups and bodies who held arms etc were involved in the political process. The party said that such involvement was highlighted in the Joint Declaration document in 1993 with the foundation stone of any involvement being a permanent end to violence from those involved in such activity. In these circumstances, Alliance said, parties who committed themselves to the Mitchell Principles could join with the two Governments in the way ahead. The key issue was, however, that an end to violence had not occurred. Instead everyone's confidence had suffered from a tactical and cynical cease-fire and from the threats of further violence. Alliance said everyone's confidence had also suffered from those political leaders, connected to paramilitary groups, being either unwilling or unable to condemn the violence perpetrated by their associates. One thing was clear from all of this, violence and democracy didn't mix, they only produced a volatile cocktail and unless violence ended then the process was only going to mirror the "wheelbarrow" theory ie that the opportunity for a successful outcome would always be in front of those desiring it but never attained.

23. Alliance said both Governments had to address the critical aspects of the proposals - could a permanent end to violence be achieved? What about the position and confidence of all those peaceful ordinary people in Northern Ireland, whose plight had been recently highlighted by the present Presbyterian Moderator, as never throwing a stone or been involved in any violence. Was there sufficient confidence for them in the contents of the document?

Alliance said it believed the goal of decommissioning was achievable but it also believed the Governments should defend, more robustly, the implementation of the Mitchell Report and the six Mitchell Principles. Alliance said it was only through these that everyone could work together to build trust, confidence and a lasting political settlement. Alliance said it was content with the paper and content with the Mitchell report. What had to be done now was to build confidence around these to move the process forward.

24. Labour also welcomed the new Irish delegation. Having been absent for the past few weeks it said it was interesting that certain developments had now taken place. Labour said it accepted the Governments' paper. There was however, a need to show a commitment from everyone around the table to pursue the objectives contained in the document. Labour said it was always asked about the position of Sinn Féin coming into the talks. The party said it was the responsibility of all participants to facilitate this. The party said it commended the leader of the SDLP for his statement in the House of Commons on 20 June and congratulated Mr Hume on his leadership skills. It also suspected that similar leadership would be shown by the UUP leader, perhaps following his recent visit to South Africa. Labour said there was a need to deal with the issue in question. The party agreed with Alliance's earlier comments regarding the peaceful people of Northern Ireland. The party said it had never believed that Sinn Féin/IRA wished to come to the talks table. It was a case now of hopefully moving forward on decommissioning - but the party said it believed the IRA would never decommission. This statement was not made as a result of being a late convert to this position. The party had always



maintained this view. The important issue now was not to spend time debating the minutiae of the Government's document. It was time to buy the tickets, board the settlement train and get it moving.

25. The NIWC welcomed the new Irish delegation. The party said it was somewhat concerned about the fact that business tabled at the Forum on the previous Friday appeared to precept discussion of these issues today. The party said it was concerned with the effect the business of the Forum had on the negotiations and had noted this. The party drew the Chairman's attention to Article 3, Section 3 of the Northern Ireland Entry to Negotiations Act 1996, which stated that the Forum "shall not have any legislative, executive or administrative functions, or any power to determine the conduct, course or outcome of the negotiations". The NIWC said it believed the proceedings was going over old ground and asked the Chairman to note what it saw as an important point.

26. The NIWC continued saying that it welcomed the initiatives taken by the British and Irish Governments to move the peace process forward. The party said it particularly welcomed the statement made by the Prime Minister in the House of Commons last week, his clear commitment to the people of Northern Ireland and his recognition of the need to achieve an acceptable settlement of Northern Ireland's political turmoil. The NIWC said it had long supported the Report of the International Body. The party said that the decommissioning issue was a symptom of a larger problem; the absence of trust. The NIWC said it believed that the International Body had adopted a realistic stance with the objective of working to achieve peace in Northern Ireland. Like

the two Governments, the party's view was that if decommissioning was to be genuine, it must be a voluntary initiative, carried out because there was a new sense of trust in the political system governing a divided society.

27. The NIWC said it felt that if peace and political compromise was ever to become a reality in Northern Ireland then everyone had to leave the realm of unilateral demands behind them and engage in real politics that put an emphasis on commitment to dialogue with each other and most importantly dialogue on an inclusive basis. The NIWC said it demanded an IRA cease-fire and the maintenance of the loyalist cease-fire on the grounds of basic human rights. The party said it called for a weapon free Northern Ireland as far as was politically and humanly possible. But most of all it called for a genuine political process of substantive negotiations and confidence building measures in order to win the peaceful and equitable future that everyone aspired to.

28. The NIWC said it continued to support the International Body's Report and welcomed the paper produced by both Governments. The party said it noted that the document indicated that the Chairman of the Plenary would act as the Chairman of the Plenary Committee. The NIWC said it welcomed this but it had some questions relating to who would chair the two sub-Committees outlined in the document. The party said it would be happy to hear from both Governments on this and some other points of clarification.

29. The PUP said it believed there was a genuine attempt being made by both Governments to move the process forward. The party said it hoped Labour's earlier comments about the IRA would be



proved wrong and that there would be an opportunity for leaders of paramilitary organisations to decommission weapons. The PUP said that if decommissioning was merely symbolic, then it was just a waste of time. The PUP said there were some around the table who were not afraid of the IRA - in negotiations or any other sense. The party said it had been surprised by its own performance at the talks, given the fact that it was a small party, representing who it did and hence not thought to be particularly innovative in debate. The party said it had been disappointed by what some other leaders had said about the decommissioning document before now. The PUP said it wished to support the document, it did not need to seek clarification from the two Governments.

30. The SDLP welcomed the Irish delegation to the talks. It said it wished each of them well in their wider briefs and every success in the negotiations. The party said it wished to keep its remarks brief on the grounds that comments on decommissioning had been made almost ad infinitum. The SDLP said it welcomed the Governments paper as it believed it would re-focus attention on the principles contained in the Report of the International Body. The party said that perhaps one could regret the loss of time and the opportunity to put these proposals into action already, but the Governments' paper presented another opportunity to do so at a time when opportunities were slight. The party said that everyone had to remember that the whole community wanted to see something moving forward in the process. It said that the paper from both Governments incorporated the role and responsibilities of both or them and all the parties ie the goal being working towards, an arms free Northern Ireland.

31. The SDLP said it believed this moment was a crucial starting point in the process despite coming one year later than anticipated. It was also good to see the paper distilling some ideas mooted in the bilateral process. The party welcomed the document because its contents supported the International Body's original view on parallel decommissioning through the aspect of mutuality. The party said it recalled the former Secretary of State's remarks in a previous debate in the House of Commons when he had said that "decommissioning would be voluntary or not at all". The SDLP said no one should lose sight of this statement. Such a position would show the strength of the political process and would become an increasing need in it. The party said it recognised and welcomed the mutual decommissioning point in the document. It welcomed the Committee proposal for decommissioning as it provided impetus on the mechanics of the issue while substantive negotiations advanced. The party also welcomed the proposal for two sub-Committees because the issue of dealing with all aspects of decommissioning was required to develop trust and confidence for all.

32. The SDLP recalled the British Governments earlier comments regarding decommissioning being an "indispensable part of the process". The party said no one could be in any doubt that the vast majority in Northern Ireland wished to see a process succeed whereby illegal arms could be taken out of circulation once and for all. It wasn't just about the statistics and nature of the armaments, it was and had been about the nature of the pain suffered by so many. The party said the real challenge for the process was to ensure that the decommissioning of mind sets occurred as well as the actual arms. The SDLP said the document



represented a new beginning and brought a moment of decision for everyone, irrespective of whether they were included in the present process or excluded from it. It was decision time for Sinn Féin and the IRA, to come in or stay out. For the insiders it was a question of a new beginning or the fag end of the process. The acid test was in accepting the proposals and moving forward to substantive negotiations and proper political progress in a situation where at present the political process was becoming increasingly irrelevant. The party recalled earlier comments from Alliance in reference to the confidence of the peaceful people in Northern Ireland. The party said that surely the responsibility for ensuring that this was built upon lay with those elected representatives around the table now. The opportunity was present to undertake this and the party hoped that in moving towards achieving this the hopes and responsibilities of everyone could be fulfilled.

33. The UDP said it welcomed any initiative which could move the process forward towards substantive negotiations. The party said it would like to see a determination made on the proposals. It said a failure to do so before the summer break meant everyone might as well dismantle the process now. The party said it much preferred to participate in a genuine search for agreement rather than give both Governments the opportunity to impose their particular policies which could lead to greater conflict. The party said that decommissioning had to be approached in a practical manner. It was a complex and sensitive issue. The UDP said the Governments' own proposals held few surprises. The issues had already been discussed extensively but the success of any mechanisms depended on the realistic approach taken with those

mechanisms. The party said, for example, that it would be concerned if participants expected the UDP to be the culpable party in terms of how successful decommissioning was.

34. The party said it was not prepared to be treated differently from anyone else. Decommissioning and the success or otherwise of it was a collective responsibility for all around the table. In this sense the UDP said it would continue to work towards achieving the removal of all weapons but it could not be held responsible for the realities of the situation. In other words, the party said the chances of loyalist paramilitary decommissioning while the IRA continued to mount its campaign was not a prospect. The party said it didn't believe loyalist paramilitaries would be able to cooperate with the terms of the Independent Commission if the IRA's campaign continued. The party said however that despite these realities it did look forward to a speedy resolution of the issue to enable the process itself to move forward for the good of everyone in Northern Ireland society.

35. The DUP, in referring to earlier comments from the Irish Government concerning its abiding by certain principles, said that that delegation was in no position to make such comments since it didn't represent anybody in Northern Ireland. The members of it had never submitted themselves for election in Northern Ireland and had therefore no mandate. The DUP said it did not welcome the Irish delegation to the process. Furthermore the main principle of unionism was violated everyday in the process conducted by the Chairman when the internal affairs of Northern Ireland were discussed and debated in conjunction with representatives from a foreign government. The DUP said its position on decommissioning



had been clear from the very beginning of the process. The party said that perhaps the Irish Prime Minister might speak on behalf of the nationalists in Northern Ireland but he didn't speak on behalf of those who desired that Northern Ireland should remain part of the United Kingdom. The DUP said it had never forgotten the Dublin High Court ruling in relation to Articles 2 and 3 of the Irish Constitution which underpinned these as a constitutional imperative for any Irish Government to continue to seek. The DUP said it didn't hear anything about this claim being given up during the Irish delegation's remarks. The party said it recalled a former Irish Foreign Minister's comments, who was now supporting the present Foreign Minister, when he said he believed De Valera's introduction of Articles 2 and 3 was the best day's work ever done. The DUP said these issues were right to the fore of today's discussions.

36. On decommissioning, the DUP said that neither it, nor the UKUP, nor did it believe, the UUP had raised this issue in the first instance. The issue had been taken forward by the two Governments when they had promised at the outset that decommissioning would be dealt with first. The party said it ill became others who blamed the DUP for raising the issue. The DUP recalled various past comments from the SDLP leader, the former Irish Foreign Minister and the former Secretary of State, all of which appeared to support the initial position of tackling decommissioning first before the party went on to quote the former Taoiseach, Mr Reynolds who once stated that if all the weapons were decommissioned before a settlement was found, this would be a recipe for disaster. So, said the DUP, if the IRA and the loyalists did do this, this would be a disaster? The party said



this gave a great encouragement to terrorists to hand in their weapons! The DUP said the IRA was only interested in talking to the British Government about partition, not decommissioning. This bore out Labour's earlier comments about the IRA's position on decommissioning. The DUP reiterated that the leaders of unionism were not the ones who had brought this issue to the fore. The party did, however, expect the Governments to tell the truth in the matter.

37. The DUP, at this point, referred to the editorial of that day's Daily Telegraph entitled "the IRA gun club" and read out the contents which contrasted in sardonic terms the banning of handguns in the UK following Dunblane and the two Governments' approach to the decommissioning of illegal weapons in Northern Ireland. The party referred to the fact that gun owners would have to hand over their weapons, under the Governments campaign in the United Kingdom, by 1 October or face the prospect of 10 year prison sentences. The DUP said the Scottish Secretary of State was showing great strength in advocating this policy. It was a pity the Northern Ireland Secretary of State wasn't following his example. The DUP said that when it had last met the Prime Minister, the party had told him that it thought it was a ridiculous situation for him (Mr Blair) to be removing legal weapons from club members in the face of a terrible incident in Dunblane while seemingly doing the exact opposite with illegal arms in Northern Ireland. The DUP said everyone had to come down to the hard facts on decommissioning. There was little point in condemning politicians for taking a consistent stand on the issue. This was not on. Parties had to do what in their view was right, not necessarily what was popular. Was it right for people to hold



on to their weapons and engage in acts of violence and then be told that there would be mutual handing in of those weapons? The DUP said that the CLMC and the IRA Council were outlawed bodies. Yet the process was being told that everyone had to wait until these bodies mutually agreed to hand over their weapons? The Chairman intervened and called for order at this point.

38. The DUP continued saying it had listened carefully to what the UDP had said and noted that that party had been honest in its comments. The question for all around the table was whether this position of mutuality was a realistic one. The DUP said whether it was realistic enough or not, the law had to take its course; otherwise those outside the law started to make the law. The party said either the rule of law was upheld or it was not. It was all right saying that the Republic of Ireland repudiated violence but the party knew the womb from which the Provisional IRA had been born and this had been the womb of Fianna Fail. The DUP said it was no wonder that the present Irish Government was not in a hurry to get the guns out of the IRA's hands. The party said there would never have been a Joint Declaration or an Anglo Irish Agreement and so on if the Irish Government hadn't ridden on the backs of the IRA. The DUP said that these comments might be unpalatable for some, but they had to be said because people had to face up to reality. As long as the IRA had arms, it would use them. The party asked what were arms kept for? They were kept to do business with.

39. The DUP said that many newspapers polls had been organised to take account of peoples views on a range of issues over the last number of months. When it came to running a poll on

decommissioning, the majority of the people had wanted decommissioning dealt with at the beginning. But instead of dealing with it first and moving on, the process was still no further on. The DUP said it believed that the Governments wanted to see the decommissioning of democracy and not arms. The party said it was surprised that the Plenary had not taken up its earlier suggestions because the whole issue of decommissioning needed a definite determination quickly. If the Governments were honest at all in this situation they should see that a debate should take place. It didn't need to be a long debate. The DUP said it could be settled by the following Monday at the latest. The joint paper, however, was a recipe for confusion and chaos and the fruit of a farce. The DUP said that the Prime Minister had stated that the British Government wasn't going to negotiate with Sinn Féin. But the DUP knew what the three issues were, courtesy of the Government's aide-memoire released the previous week to Parliament. The party said that Sinn Féin had been successful in getting all three (a) that substantive negotiations would be completed by end of May 1998, (b) that a six week time limit be established to verify a permanent cease-fire, and (c) that decommissioning should not be allowed to become an obstacle to substantive negotiations.

40. The DUP said that in relation to (b) it had to be remembered that if the IRA called a cease-fire, Sinn Féin could immediately enter the talks facilities with a Plenary being called at an appropriate moment to allow them to affirm their commitment to the Mitchell Principles. Following an adjournment of the process until September, Sinn Féin could join the talks proper. The difficulty in all of this was how did either Government know whether it was a permanent cease-fire? What would happen to this scenario if



decommissioning occurred beforehand? The DUP referred to that day's Belfast Telegraph article which carried the story about the UUP leaders' lengthy document seeking clarification on the decommissioning proposals with the Prime Minister. The party said it would have very much like to have heard what was contained in the eight page paper. If the UUP had asked for a dump of arms up front, then the party welcomed it. The DUP said it would also welcome the UUP's insistence that the decommissioning issue be dealt with in the manner originally intended.

41. The DUP said it didn't know how the debate would be concluded. It also didn't know what was amenable and what was not. If amendments to the document were not permitted then this would achieve an end to the issue which would satisfy the Governments. The party, in referring again to the Daily Telegraph editorial, said that in comparison to those proposals, no such end date had been given to those who held illegal guns in Northern Ireland. The proposals gave no given threat of prison sentences either. The party said, in this respect, it hoped the Chairman would rule that the debate should not be prolonged. It was inevitable that the Governments were going to get their way irrespective of what the DUP said. It was a foregone conclusion but the party had to make its points as forcibly as it could in the interim.

42. The UKUP said it might be useful to focus on some basic principles of democracy and how they were being flaunted in the governance of Northern Ireland. The manner in which the two Governments' decommissioning paper had been devised and tabled was a clear example of this. The party observed that New Labour did not organise as a political party in Northern Ireland, nor did it

solicit a single vote from any person there. Yet, having formed the Government, it now claimed to know exactly what the people of Northern Ireland wanted.

43. Referring to comments made earlier by the Irish Minister for Foreign Affairs, the UKUP said that it was utterly unacceptable for a foreign Government to use words such as "we (the Irish Government) will not tolerate" when commenting on the nature and direction of the talks. The party stated that the Minister represented a foreign Government that did not receive, nor seek to receive, a single vote from the people of Northern Ireland. It argued that despite their complete lack of any mandate, the two Governments claimed to know exactly what the people of Northern Ireland truly wanted. This, it said, smacked of the sort of thinking practiced by the IRA, who claimed to be the inheritors of the true nationalist tradition and to represent the true wishes of the Irish people.

44. The UKUP said the DUP had been correct in its earlier comments regarding the editorial in the Daily Telegraph. The party stated that the difference between the people of Dunblane and the people of Northern Ireland was that the former, unlike the latter, were first class British citizens. The UKUP pointed out that whereas the people of Dunblane had the capacity to vote Governments into office, the votes of the people of Northern Ireland made no difference to which party ruled them. It said that the Northern Ireland people were, therefore, disenfranchised.

45. Referring to remarks from a former British Prime Minister, Palmerston, that the English had no friends or enemies, only



interests, the UKUP said that the objective of the British Government was one of conflict resolution between the British State and the IRA. Under this guise, which was shared by the Irish Government, the British Government had offered an alleged peace process as a means of moving towards a political settlement in Northern Ireland.

46. The UKUP said that the original logic of the so called peace process had been that in return for an IRA cease-fire, institutions would be put in place that would fulfill the republican movement's objectives within roughly a 15 year period. The party argued that the two Governments had hoped to obtain the pro-Union people's acquiescence to this approach by appealing to and highlighting the benefits of the peace dividend. All the apparatus of government had been brought to bear on the pro-Union people to persuade them to change their constitutional identify for the benefits of this strategy. Referring to the Governments' decommissioning paper, the UKUP maintained that the people of Northern Ireland were now being asked to accept a proposal which was a further sop to the IRA.

47. The UKUP said that when the IRA declared its cease-fire on 31 August 1994, the Irish Government had been adamant that it was permanent, with Albert Reynolds insisting that "complete cessation" was the equivalent of permanent. The British Government had made a working assumption on its permanence after three months. However, it was patently obvious that the IRA had no intention of decommissioning either before, during or after negotiations. The party said that the IRA cease-fire had been a total fraud and maintained that while Sinn Féin were talking to the International

Body, in December 1995 and January 1996, the IRA was planning further atrocities.

48. The UKUP argued that despite the fraudulent nature of the last IRA cease-fire, the two Governments were now offering them better terms for a restoration of that cease-fire than had been offered in August 1994. Sinn Féin would now be allowed into substantive negotiations only six weeks after the restoration of the cease-fire, as opposed to the three months which had been on offer in 1994. The two Governments were seeking an unequivocal restoration of a cease-fire that had been patently inadequate and fraudulent. In spite of the experience of the last IRA cease-fire, the party said the Governments now had the gall to present a document to the parties designed solely to facilitate the entry of Sinn Féin into negotiations.

49. The UKUP said it objected in the strongest possible terms to the two Governments' paper. Despite the inclusion of some clever language, which should in the Governments' view cause little offence, the document was utterly irredeemable and ultimately hopeless. The party argued that the document was designed to let Sinn Féin into the negotiations without decommissioning and, furthermore, it guaranteed that no decommissioning would take place until at least the end of the process. The party drew attention to its own 25 page document which, it said, had addressed all aspects of the decommissioning issue. Copies of the paper had been circulated to all participants and handed to the previous Prime Minister and Secretary of State. However, there was no evidence in the Governments' latest proposals that any of the UKUP's analysis had even been addressed. It was simply being met with bland



indifference. The Governments' document represented a rehash of a version already heavily rejected by the parties - which relied substantially on paragraph 34 and 35 of the International Body's Report.

50. The party pointed out that these paragraphs did not form an acceptable basis for progress on decommissioning. While the party had made clear its acceptance of the Mitchell Principles, it could not and never did accept the strategy outlined in paragraphs 34 and 35. It maintained that paragraph 34 which represented the compromise solution only suggested that the parties "should consider an approach under which some decommissioning would take place during the process of all-party negotiations, rather than before or after as the parties now urge". Under paragraph 34, therefore, Sinn Féin/IRA, the UKUP argued, were only being asked to consider decommissioning, as opposed to beginning the process of actual decommissioning, during negotiations. This meant that Sinn Féin could be let into the process without saying that the IRA had to decommission. The UKUP said that the Report of the International Body was being used to bin the decommissioning issue.

51. Turning to paragraph 35 of the Report of the International Body, the UKUP said that the statement that "as progress is made on political issues, even modest mutual steps on decommissioning could help create the atmosphere needed for further steps in a progressive pattern of mounting trust and confidence", was deeply flawed. In effect this paragraph meant that the handing in of weapons would be rewarded with political concessions. The party asked who would decide that there had been sufficient political progress to warrant terrorist groups handing over their weapons?

The reality was that this call could only be made by those with the weapons and, the party claimed, this would enable the terrorists to dictate the course and pace of the negotiations.

52. Turning to the detail of the Governments' document, the UKUP said that the proposal that two sub-Committees be established, was very similar to that outlined in the Scenario for the Opening Plenary document of 6 June 1996. This document had been rejected by the participants.

53. The UKUP observed that, according to the British Government's recent aide-memoire to Sinn Féin, once the IRA announced a cease-fire, the Secretary of State would have six weeks to make a judgment "in the round" (a expression the party said was yet another example of an euphemism designed to deceive) that the cease-fire was genuine. The UKUP asked who, other than the most simplistic, really believed that a determination on the credibility of a new cease-fire could be made in as short a period as six weeks. The UKUP stated that the Chairman and his team had had longer than six weeks to examine the bona fides of Sinn Féin yet they had come up with a totally wrong call. The party said it didn't blame the Chairmen for this, but now it was hearing that a relatively new Secretary of State was going to evaluate this in six weeks. The party pointed out that in the immediate aftermath of the restoration of the cease-fire, Sinn Féin, while they would not be able to attend Plenary until after six weeks had elapsed, would have access to Castle Buildings and all its services. They would also be able to hold bilaterals with parties willing to meet them. Once Sinn Féin was in, they would never be got out.



54. The UKUP stated that there was a widespread belief throughout the community that the Governments had caved in to the IRA. Referring to an article by David McKittrick, a journalist not noted for his sympathy to unionism, in the Independent on Thursday, 26 June, the UKUP drew attention to the writer's assertion that apart from decommissioning, the Prime Minister had "stroked off" every demand in the IRA's shopping basket. While the party agreed for the most part with McKittrick, it maintained that the Prime Minister had also "stroked off" the IRA's demands on decommissioning.

55. The UKUP said that Sinn Féin, by waiting and delaying the announcement of a cease-fire, had managed to extract further concessions from the British Government. Sinn Féin had now secured a specific time frame, one of their key demands, for the negotiations, ie they must be completed by May 1998. The UKUP said that the time frame was now so short (six - eight months) as to ensure that actual decommissioning before the completion of the process was highly unlikely, if not impossible given the setting up of Committees and the activity surrounding this. The restricted nature of the time frame would enable the IRA to keep all of its equipment and active service unit's intact, ready for a resumption of violence if the outcome of the negotiations met with their disapproval. The IRA knew that if they broke any renewed cease-fire, they would be committed to a resumption of war. Thus, the UKUP maintained, it was essential for republicans that Sinn Féin be allowed into negotiations on terms that ensured that the IRA's war machine would remain intact. The last cease-fire had broken down as a result of active service unit's becoming "ring rusty". The same mistake wouldn't be made again.

56. The UKUP continued saying it objected to the manner in which Plenary was becoming increasingly irrelevant. All the serious business was being done outside the Plenary format. As an example of this, the party noted that neither the SDLP leader, the UUP leader nor the Secretary of State had attended the previous Plenary on Tuesday, 24 June. All three had been in London where, the party claimed, the real business was being done. Furthermore, the UKUP noted newspaper reports that the UUP leader had sent an eight page letter to the Prime Minister requesting clarification of the two Governments' decommissioning proposals. The UUP leader was going directly over the head of the participants at the negotiations. The party said that this confirmed the widely held belief that business was not being done in Plenary.

57. The UKUP said that the Governments, if they were hoping to fashion pro-Union agreement to their decommissioning proposals via an alliance between the UUP, PUP and/or UDP, were badly mistaken if they believed that the ordinary people of Ulster would swallow such a consensus being reached on the backs of two parties closely linked to the murders of hundreds of Catholics. The UKUP said that there could be no moral chicanery on this issue.

58. Turning to the principle of mutuality referred to in the decommissioning document, the UKUP welcomed the frank nature of the UDP's earlier comments that it would not accept being treated any differently to any other party. In the absence of an IRA cease-fire, however, and in the event of agreement being reached on an approach to decommissioning, the PUP and UDP would both expect to enter substantive negotiations. If their involvement was agreed



to, the UKUP asked, what conceivable argument could the two Governments advance to keep Sinn Féin out? The UKUP said there appeared to be no attempt to address this issue in the decommissioning proposals.

59. The UKUP said there was a further issue. It noted that the declared position of the UDP and PUP was that there could be no negotiations on the Union. The party also noted that the IRA's demand for a United Ireland had not changed. If both sides continued to insist on their respective positions, how could one achieve mutuality on decommissioning? The UKUP said the truth was that neither republicans nor loyalists would ever decommission. The whole process was based on expediency with the principles of democratic politics being sacrificed at the same time.

60. The UKUP said it would be easy to say that the Governments' proposals were great and that the whole process could now move forward. However, the reality was that the document was hopeless and its main flaw was the close link it established between political progress and decommissioning. The party said it was interesting that the two issues were put in this order since if there was political process, weapons would not be needed.

61. The UKUP argued that if Sinn Féin's entry was regarded by the Governments as central to the current process, then nothing would be permitted to restrict it. This position legitimised the political terrorism of the IRA, allowing it to move from a position of being a cold blooded murdering organisation to an essential participant. The process, as designed by the two Governments, was useless without Sinn Féin. In this sense, Fergus Finlay had been

right when he said that without Sinn Féin the talks were "not worth a penny candle". The party said that Sinn Féin's strategy was to illustrate the terms under which the IRA would make peace with the British Government. The International Body had recommended that a process of parallel decommissioning be considered. The UKUP commented that this approach would only be logical if both sides had been starting from equal positions. However, the reality was that while the main pro-Union parties were utterly committed to democracy and had no weapons whatsoever, Sinn Féin, a minority party, approached from an utterly undemocratic viewpoint. The latter sought to achieve their objectives from the methodology of violent terrorism. The UKUP said that parallel decommissioning did no justice to the democratic process or to democratic values and the concept would therefore fail.

62. The UKUP said that over the past three years both Governments had resigned from every position they had adopted on the decommissioning issue. Their new proposals represented the ultimate sign of this process of climb down. While this might not be the intention of the Governments this was what would happen at the end of the day.

63. The UKUP pointed to Gerry Adams' repeated assertion that Sinn Féin was a legitimate political party, with its own mandate and with no weapons to decommission. The party also noted the British Government's position, and to a lesser extent that of the Irish Government, was repeatedly put forward in terms of Sinn Féin and the IRA being two sides of the same coin. If, however, Sinn Féin entered the negotiations following a restoration of the cease-fire, they would undoubtedly maintain that they were a political party



with a mandate, had no weapons to decommission and had no power over the IRA if subsequently they were faced with expulsion from the process. The UKUP said that because of the presence of the UDP and PUP, neither Government would be able to counter Sinn Féin's claims. The party pointed out that after the CLMC issued a death threat last autumn against Wright and Kerr, serious questions had been raised about the continued participation of the PUP and UDP in the negotiations. A number of parties had formally questioned those two parties' commitment to the Mitchell Principles. Consequently, on 10 September, the British Government had asked both parties five questions in an attempt to establish whether they had a continued commitment to exclusively peaceful means. However, the UKUP argued that these questions had been general in character and would pose no problem for Gerry Adams and Sinn Féin. This precedent would enable Sinn Féin to remain in the negotiations regardless of what atrocities were being carried out by the IRA thereby again demonstrating the Governments expedient approach at the expense of democratic principles. Once in, the UKUP argued, it would be virtually impossible to evict Sinn Féin. Both Governments were acutely aware that should they choose to throw Sinn Féin out, for whatever reason, they would be condemning the province to a full scale resumption of IRA violence. The Governments would seek to avoid this scenario at any price.

64. Concluding its comments on the Governments' paper, the UKUP stated that if the document was the best that each Government could come up with there was no point in tabling amendments to it or presenting any options to the Chairman on the future timescale of the proceedings.

65. Referring to the presence of the Secretary of State, the UKUP indicated that it wished to asked for her response to some statements made by her in a Labour Party document (Towards a United Ireland: Reform and Partiality - a dual strategy) while in opposition in 1988. The UKUP said it wished to give the Secretary of State the opportunity of saying that the views contained in that document were no longer hers.

66. On a point of order, the PUP, referring to the conduct of the previous Plenary, pointed out that the Chairman had decided on this occasion to go around the table with one person from each delegation permitted to comment, without interruption, on the Governments' decommissioning document. The party said the UKUP had now nominated a second speaker to pose questions to the Secretary of State on a completely unrelated matter yet the UUP had not made its contribution. The DUP recalled previous comments that all participants were equal at the process and observed that the British Government had had two speakers when the Secretary of State and the Minister of State had each made statements. The PUP case therefore fell by default.

67. The Chairman said that previous practice at the negotiations had been that when a question was put to an individual, he/she could decide whether or not to respond. He suggested that the UKUP complete the list of questions it wished to put to the Secretary of State and then the UUP could proceed to make its statement on the decommissioning document. Following the conclusion of the UUP statement, the Chairman said that the Secretary of State would be given the opportunity to establish the veracity of the statement attributed to her by the UKUP and respond to the questions put if



she so wished. The Chairman then cautioned against proceeding down a perilous path of delving into comments made in the distant past by various participants. Such activity, he believed, would serve no useful purpose.

68. The UKUP said that it accepted the Chairman's procedural ruling. However, it explained that although the Secretary of State's statement was nine years old, it remained relevant since she had now actually inherited the Northern Ireland post. The party said that Unionists wanted to know if she still endorsed the radical views expressed in that 1988 statement.

69. The Chairman noted that the Secretary of State had to leave shortly for a security meeting. He said that he had only become aware of this shortly before the UKUP had commenced its questioning. The SDLP said that the matter being raised by the UKUP was not relevant to the decommissioning discussion and was grossly unfair. A bad precedent would be set if parties were allowed to interrogate particular individuals in this manner. The Chairman said that he had already expressed concern at the precedent being established. However, given that the Secretary of State was here he would allow the UKUP to conclude its line of inquiry. The Secretary of State could then respond at a time of her choosing.

70. The UKUP said it entirely accepted the Chairman's ruling. It continued saying there was just one part of the Prime Minister's statement the previous Tuesday which all unionists - or almost all - were likely to approve wholeheartedly. This was the reiterated undertaking that the outcome of these talks, whatever it might be,

would have to be put to the people of Northern Ireland for their approval. It was to that coming referendum that the unionist population must now pin their hopes. Preparations for that referendum had to begin, as soon as Sinn Féin was seated at the talks, possibly this autumn.

71. The UKUP said everyone was being told repeatedly by the two Governments that the restoration of the IRA's cease-fire must be unequivocal but this was patent nonsense. The last cease-fire was itself equivocal - as its ending demonstrated - so how could its restoration be unequivocal? Near the beginning of the last cease-fire one of its architects, Albert Reynolds, claimed that the cease-fire was "permanent". When it was pointed out that the wording of the IRA cease-fire announcement said nothing about its being permanent, Mr Reynolds claimed that the word complete - which did appear in the announcement - meant the same as permanent. The UKUP said that no doubt the process would be subjected to further semantics of that order whenever the IRA did accord a cease-fire and Sinn Féin, without more ado, was seated at the talks.

72. The UKUP asked what was being sought of representatives of the unionist community? What was being asked of them was that they sat down with the political servants of IRA/Sinn Féin while Sinn Féin's masters, the IRA, retained all their weapons and, therefore, the capacity to resume military operations just as the IRA did before, at Canary Wharf, when they decided that negotiations no longer, for the moment, had served their purpose. Was it not crystal clear that the same would happen with this cease-fire and that the IRA would resume its operations, after careful preparation, whenever it judged it appropriate to do so? And after that, another cease-



fire, followed by another resumption and so on indefinitely - or so long as the two Governments agreed to play the parts allotted to them in the game of cat-and-mouse.

73. The UKUP said that this game would continue for as long as the two Governments found it acceptable to join in it. The party said it didn't know how long that would be. The unionists could not prevent this happening. But they could refuse to sit down with the representatives of Sinn Féin when these were admitted - as they probably would be this year - without any advance decommissioning on the part of their masters, the IRA. The party said that unionists were being asked to negotiate under the barrel of a gun. They were being asked to negotiate in the knowledge that if their negotiating position and those of others was not satisfactory to the IRA, its military operations might resume, when it judged the time was ripe.

74. The UKUP said it did not believe that the unionist population as a whole wanted any unionists to sit down with Sinn Féin while Sinn Féin's masters retained their weaponry. It knew that the DUP's position, on this matter, was identical to its own. There had been some confusion. In a radio statement on Sunday, the SDLP leader, referring to the inclusion of Sinn Féin in the talks, had suggested that "both governments and all parties were agreed". The DUP and the UKUP certainly did not agree. Some other unionists might sincerely come to a different conclusion. This was well and good. It was the people of Northern Ireland who would eventually decide the matter in a referendum. The UKUP said it was confident that in rejecting talks with Sinn Féin, while Sinn Féin's masters retained their weapons, it was doing what the unionists of Northern

Ireland expected them to do. It would see, probably before very long, whether this was the case.

75. The UKUP said that the relation of Sinn Féin to the IRA was like the relation of the organ-grinder's monkey to the organ-grinder. The monkey was out front, all business, creating a lot of noise and attracting attention. The organ-grinder was less conspicuous, but it was the organ-grinder - the IRA - which was in control of the monkey, not the other way round. That had always been the case. It was the case now. And it would still be the case if Sinn Féin was seated at the talks. Their masters would decide what they said and would control even more firmly what they meant. Their masters would also determine exactly how long the show would go on, and at what point the armed struggle would resume. The UKUP hoped that, when the time came to seat Sinn Féin, no unionists would be around willing to take part in the IRA's puppet show, thereby lending that show a credibility it would not otherwise possess.

76. The Chairman invited the UUP to give its response to the two Governments' proposals on decommissioning. The UUP began by referring to comments made earlier by the DUP about the two new Governments formally signing up to the Mitchell Principles. While the UUP acknowledged that the Irish Government was committed to the Principles, it could not be sure that all of its supporters, particularly the Sinn Féin TD, would subscribe to this position. The party commented that the new Irish Foreign Minister at least benefited from the advantage that he could not prove any worse than his predecessor. The UUP claimed that part of the difficulty with the process to date had been the completely unreliable nature of



the previous Irish Government delegation. The party said it was essential that the new Government understood this and moved quickly to establish integrity and confidence - though achieving this, in the eyes of unionists, would not be easy. The Irish Government had no bank of credit on which to draw.

77. The UUP welcomed the sentiments expressed by the Daily Telegraph's editorial. The party expressed its belief that the writer's opinion reflected the views of the majority of the British people as a whole who had particularly strong views about republican terrorism.

78. Turning to the two Governments' paper on decommissioning, the UUP drew attention to the fact that the document consisted merely of possible conclusions on item 2(a) - (c) of the remainder of the Opening Plenary. It was up to the parties now to examine, seek clarification and where necessary change the proposals. The UUP pointed out that the Prime Minister, in the House of Commons on 25 June, had acknowledged that it would be seeking changes to the document. The party also noted the Prime Minister's refusal on the same day to confirm Mr Seamus Mallon's assertion that the document be treated as a holy writ.

79. The UUP said it did not wish to go into a detailed analysis of the paper at this stage. The party said its views had been expressed in the House of Commons on 25 June and at the Forum two days later. The party had indicated that the paper was seriously deficient in a number of respects. For example the UUP said it was concerned at the seventeen month delay in the implementation of the International Body's recommendations that a verification Commission

be established with the ability to operate in both jurisdictions. This delay reinforced the unionist view the Irish Government did not actually wish to see decommissioning take place.

80. Referring to comments made earlier by the British Government that the enabling legislation for decommissioning was in place in both jurisdictions, the UUP said that this was not so. The party maintained that legislation was in place which would only enable the establishment of schemes for decommissioning. It asked when legislation enabling actual decommissioning would be introduced? The UUP said there were too many opportunities in the document for delay. The question at the heart of the matter was whether the proposals would work when they needed to work.

81. The UUP said that what was required was a detailed examination of the paper with the Governments followed by a discussion of the consequences of this examination in Plenary. The party said it could go through the document but was mostly concerned about the lack of definition and clarity within it. Terms such as "due progress" held the potential for considerable confusion.

82. The UUP stated that another key point was the question of what constituted a sufficient cease-fire or an end to violence? Decommissioning was essential precisely because of the widespread lack of confidence in the Governments' judgement on the nature of a new IRA cease-fire. The party drew attention to paragraph 8 of the Ground Rules which stated that negotiations would involve the participation of parties which "establish a commitment to exclusively peaceful methods and have shown that they abide by the democratic process". This, the party observed, mirrored the



language used in paragraph 10 of the Joint Declaration. The UUP said it was crucial that a new cease-fire fulfilled the terms of these paragraphs before Sinn Féin were permitted into the negotiations.

83. The UUP pointed out that there was a clear alternative route to substantive negotiations as articulated by the party at the Forum some weeks ago.

84. The UUP welcomed the announcement in the opening line of the Governments' paper that they "are resolutely committed to the total disarmament of all paramilitary organisations". However, it was essential that adequate modalities be put in place to ensure that this objective was achieved. The party said that there should be no further delay in establishing the verification commission and the enabling legislation. It said that these measures would help ensure that substantive negotiations could take place alongside substantive disarmament. It recalled that in a meeting with the Irish Government on 11 March 1996, the latter had confirmed that there would be no delay in either the establishment of the verification commission or the passing of enabling legislation. It regretted that over a year later the Irish Government had yet to deliver on these assurances. It argued that ambivalence from the Irish Government on terrorism was destructive and led nowhere. As an example of the effects of such ambivalence, it cited the case of two men, McCauley and Quinlivan, whom the Irish Government had released from custody having refused their extradition to Northern Ireland. The UUP pointed out that, subsequently, one of the individuals concerned was involved in the murder of Garda Gerry McCabe in Adare.

85. The UUP said it was crucial for the integrity and confidence of the entire process that all participants fulfilled the language of paragraph 10 of the Joint Declaration. If this was watered down then there wouldn't be a process. It hoped that all queries on the paper would be responded to in a frank fashion. It expressed the belief that the possibility of achieving a comprehensive overall settlement remained, but the perception that the process would only succeed if Sinn Féin were present at the negotiations had no basis at all. The party said that Fergus Finlay had been wrong in his assertion that negotiations without Sinn Féin were "not worth a penny candle". It was the duty of all present to prove him wrong.

86. The Chairman said that the debate had been intended to illicit a preliminary reaction to the two Governments' paper. Undoubtedly some parties would wish to pose further questions to the Governments. He noted that several parties had expressed concern that a schedule be established for the remainder of the Opening Plenary. He said that the UDP had been particularly vocal on the need to complete the process by the end of July.

87. To accommodate these concerns, to attempt to devise a schedule and to reflect the views of all the parties, the Chairman suggested that beginning on Wednesday, 2 July, each of the parties should meet directly with the Governments in trilateral format. He said that this would afford each party the opportunity to put its particular concerns and questions on the document to the Governments. He said that these meetings would enable the two Governments to become fully apprised of the parties' concerns. Following this process of trilateral meetings, the Plenary would



resume. The Chairman said he was essentially proposing a three stage process - the first being today's Plenary session; the second would involve a round of trilaterals; and the third would involve Plenary's consideration of the outcome of these trilaterals.

88. The UUP broadly agreed with the Chairman's suggestion for a process of consideration. However, it said that the particular format of the meetings should be left to the parties themselves. The party indicated its preference to participate only in bilaterals with the British Government. It said that working with both Governments tended to have an inhibiting effect on the prospects for progress.

89. The UKUP said its understanding from the debate was that Alliance, Labour, the NIWC, the PUP, the SDLP and perhaps the UDP had, broadly speaking, accepted the Governments' document. Those parties apparently needed no further clarification. For its part, the UKUP said it fully understood the document and did not require any clarification. There was therefore no need for a further multiplicity of bilaterals. The Chairman said that he understood that Alliance, while generally supportive of the Governments' proposals, were seeking some further clarification. But if the six parties didn't want meetings then that was up to them.

90. The DUP stated its preference to have the whole issue discussed at a Plenary session. While it too understood, and rejected, the paper, it said it would like the opportunity to put some direct questions to both Governments in an open fashion and in the presence of all the participants.

91. The Chairman said that he took the DUP's statement as meaning that it was opposed to the Plenary adjourning for trilateral and/or bilateral discussions on the Governments' proposals. He pointed out that it was not impossible to arrive at an arrangement whereby bilaterals could take place in parallel to Plenary. Bilaterals would not replace Plenary meetings but rather inform the Plenary process. The PUP suggested that any bilaterals should take place the following morning, thus enabling the Plenary to resume in the afternoon at 14.00. The UKUP asked whether the document was amenable.

92. The Chairman invited each of the parties to comment on his proposal for an adjournment of the Plenary to allow time for trilateral and bilateral consideration of the Governments' proposals. The British Government and the Irish Government indicated agreement with this course of action, with the latter stating that they would not insist on the trilateral format. Alliance, Labour, the NIWC and the PUP all agreed to the Chairman's proposed course of action. The NIWC pointed out that in the past it had formed a coalition with a number of parties to facilitate the efficiency and speedy conclusion of the consultative process. It said that it would be happy to do so again.

93. The SDLP said that while it had no difficulty with the Governments' proposals, further clarification should be provided to those who required it. However, it was important to set a date for the next Plenary session since there was a certain amount of urgency attached to the process. The UDP said it was content with the Chairman's proposal but it wished to know when the Plenary



would recommence. The DUP repeated their opposition to the document and called for a time to be set for the resumption of Plenary for the opposite reasons to those of the SDLP. The UKUP said that all meetings for the purpose of clarification should take place the following morning and that the Plenary should reconvene at 14.00. The party disputed the Chairman's assertion that Alliance had indicated in their presentation a wish to obtain some further clarification and there was therefore no need for a lengthy postponement. The UUP said that it wished to proceed as indicated earlier and supported the Chairman's proposals. It pointed out what it regarded as the impracticality of holding a Plenary on budget day as some participants would wish to be at Westminster. Alliance indicated that several of its members had other engagements the following afternoon.

94. The Chairman noted that most parties had indicated support for the principle of holding bilateral/trilateral meetings. However, it would be impractical to suggest, as some participants had done, that these meetings would be completed by the following morning. He suggested that the following day (2 July) and the first three days of the following week (7, 8 and 9 July) be set aside for discussion of the decommissioning document in bilateral/trilateral format. He said that the Chairmen would meet the parties in parallel with this clarification process to seek views on a schedule of meetings for the remainder of July. He proposed that the Plenary meet again on Tuesday, 15 July (his first suggestion of Bank Holiday Monday, 14 July was ruled out by the parties) or as soon thereafter as possible.

95. The British Government, the Irish Government, Labour, NIWC, and PUP agreed with the Chairman's proposal. Alliance, UDP and SDLP said that they would like an earlier meeting of the Plenary. However, all three agreed to go along with the proposal if agreement on an earlier date could not be reached. The DUP said that it wanted to get on with the debate on decommissioning as quickly as possible and stated that the Plenary should meet again much sooner than 15 July. The UKUP observed that the two Governments and most of the parties had consistently stressed the urgent need to move the process along as soon as possible. Yet, the party pointed out, the participants had met in Plenary on 3 and 10 June before being adjourned until 24 June. Having met on 24 June, the Plenary was further adjourned until 1 July. Now it was being proposed that a further adjournment until 15 July take place. The UKUP said it appeared that the Governments dictated the manner in which the Chairman conducted the business of the negotiations and recalled the previous week's discussions about the role of the Business Committee. The party strongly opposed the Chairman's proposal. It said that the UUP appeared to be the only party requiring further clarification. A two week adjournment for the purpose of explaining the document to the UUP was simply a case of inventing delay.

96. The UUP said that the round of bilaterals would enable the two Governments to build confidence regarding the quality of their proposals and to reassure the parties that the proposed mechanisms would deliver actual decommissioning. It said the party was ready to proceed as soon as the Governments were ready to build the necessary confidence.



97. The Chairman noted that there was clearly no consensus on his suggestion that the Plenary reconvene on Tuesday, 15 July. He suggested instead that the Plenary next meet on 8 July at 14.00. The delegations indicated their support for this proposal. The DUP said it agreed with this approach under protest.

98. The UKUP again asked if the Governments' document could be amended. It said that there was no point in adjourning to discuss the proposals in bilaterals if the paper could not be amended.

99. The British Government said it did not wish to respond to the UKUP's question at this time. The Irish Government also indicated its wish not to respond to the UKUP question. The UKUP said that this showed that the whole issue was just a fraud and the Chairman was presiding over a fraud. The DUP agreed saying that the participants were only going through a charade. The two Governments would alter the document to get Sinn Féin into the process. It would not be altered by this process. The UKUP said that the Governments responses were just an insult to the participants' intelligence to engage in a full discussion of the issue. What was the point of a series of discussions with the two Governments if they could say that in some circumstances, their proposals were not amenable? The UKUP appealed to the Chairman to make sense out of this position. The Chairman said he noted the Governments' responses, but stated that their view was not binding on the Chair. He said he would take into consideration the fact that some of the parties had expressed the view that the document should be amended while others had articulated an opposing view. He was, however, not going to make rulings on hypothetical situations.

100. The NIWC asked the UKUP whether it now wished to make amendments to the document? The NIWC noted that the party (the UKUP) had earlier described the document as so flawed as to render amendments useless! The UKUP stated there was a difference between not making amendments to the document because its contents were clear and the possibility of giving parties more time to produce amendments to a document which might not be amenable. It confirmed that its position had not changed. The DUP said that it was confused by the British Governments' position. It understood that the Secretary of State and Prime Minister had made clear that they would take on board proposals put forward by the parties. It asked the British Government to clarify its position.

101. The British Government said that the purpose of the adjournment was to provide the opportunity for all parties to put a range of questions on the paper to the two Governments before coming back to Plenary. The Chairman noted that nothing had been said to contradict the Secretary of State's statement to Plenary earlier in the afternoon. The DUP objected that the matter had not been satisfactorily resolved and repeated its demand to know whether the paper was amenable or not. The UKUP said that the Government's evasive answers would not suffice. It asked the Irish Government what its position on the matter was.

102. The Irish Government said that it was willing to listen to all concerns. It said that if genuine additions were presented these could be considered, but it was not going to make a judgement on hypothetical scenarios. The DUP welcomed the Chairman's comment that the Governments' view was not binding on the Chair. It noted



that the first part of the document was in the form of a statement and, consequently, would be very difficult to amend. The question therefore remained as to whether it was worthwhile debating the issue at all.

103. The UKUP maintained that the reason the Governments' were loathe to consider amendments was the fact that the document had been tabled by the Prime Minister and endorsed by IRA/Sinn Féin. It said that any amendments would have to be ratified by the IRA before the Governments could endorse them but they had cut off contacts with Sinn Féin. It said that the Governments had carried out a fraud upon the unionist people. It stated that it was an insult to have to face such a fait accompli. All that was required was a democratic veneer to the proposals and the party said it hoped that neither the DUP or the UUP would provide this. It certainly wouldn't.

104. With no further comments, the Chairman adjourned the meeting at 17.47 until 14.00 on Tuesday, 8 July.

Independent Chairmen Notetakers  
7 July 1997

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