

Office of the Independent Chairmen

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SUMMARY RECORD OF REVIEW PLENARY SESSION - TUESDAY 24 MARCH 1997 (19.25)

Those present:

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

1. The Chairman convened the meeting at 19.25. Before calling on the British Government to make its statement on decommissioning he sought the approval of the 15 records which had been listed in the previous session. The UUP, who had earlier asked for more time to review them, said it was content to approve them. The Chairman stated that all had therefore been approved as circulated. He then asked the British Government to make its statement.

2. The British Government said it wanted to see some decommissioning during the negotiations. The necessary machinery was in place and it should, in its view, be used now. It was a crucial issue which had to be addressed along with matters such as prisoners and changes in policing, all of which were part of an overall agreement. In terms of the decommissioning issue being addressed in any overall agreement the "Propositions"

paper had referred to "effective and practical measures to establish and consolidate an acceptable peaceful society, dealing with issues such as prisoners, security in all its aspects, policing and decommissioning of weapons". It was therefore an important issue which couldn't be ignored. Some indication, however, was needed as to how decommissioning would actually take place. The British Government said it hoped that the next day's Liaison Sub-committee on decommissioning could address the options in this regard.

3. As to what happened if the process reached the point of agreement without decommissioning occurring, all the participants would need to decide on their reaction in these circumstances. The British Government said it had some sympathy with the earlier SDLP point that it would be a pity to hand a veto, over the possibility of an agreement, to the paramilitary organisations holding illegal weapons. It accepted that decommissioning was a vital issue for everyone and the UUP's position on it had been consistent from the beginning. This was why the British Government had always acknowledged that the resolution of it was an "indispensable" part of any settlement. That was the reality with which everyone around the table needed to deal.

4. The Chairman proposed, if there was no further comment on decommissioning, that consideration be given to how the process proceeded from here. He stated that discussions during the course of the day had shown that

many decisions still had to be made within a short time frame. All the Chairmen believed, however, that these could be handled positively with renewed determination on the part of everyone. The Chairman added, however, that longer sessions would be required to ensure the opportunity for reaching agreement was maximised within the time remaining.

5. The Chairman also proposed the next two days be devoted to bilaterals between the Chairmen and the participants to solicit the participants' best sense on the most important issues which had to be resolved to enable an agreement to be reached and suggestions on what accommodations were required with others to permit such agreement to occur. The Chairman stated that in the week commencing 30 March, participants should be prepared to work all five days including evenings. Furthermore in the week commencing 6 April, he proposed that participants remain in session continuously until agreement was reached. While no time was being proposed for a conclusion in that week, it was noted that the Easter holiday weekend commenced on Friday 10 April. The Chairman then drew attention to the accommodation arrangements organised by the Talks Administrator and suggested that those travelling long distances might wish to consider taking up these facilities.

6. The Chairman said that following his bilaterals and consultations with both Governments in the next 48 hours, a decision on the format for next week's business would

be communicated to the participants. He also suggested that parties themselves organise bilaterals or trilaterals of their own and concentrate on the areas of agreement which had become apparent prior to the Strand Two discussion today and also in Strand One discussions to date. The Chairman then provided a recapitulation of the formal meetings for the following day (Wednesday 25 March).

7. Alliance said it recalled remarks made earlier in the session by some colleagues about comments to the media. The party said that while the discussions had been very frank on occasions today, it had no intention of taking its comments beyond the confines of the building. It was, however, likely that if the process was going to get anywhere then further robust discussion would occur. There was therefore an onus on everyone to ensure that, during the next couple of weeks, the press were not given the opportunity of conducting the negotiations. The party proposed that one way of avoiding this would be for everyone to make a self denying ordinance with regard to media comments beginning in the week commencing 30 March. Furthermore, the party proposed that by way of compensation, the Chairmen should consider issuing an appropriate statement each day which provided an independent flavour of those day's events. Alliance said if everyone was indeed serious about reaching an agreement then these proposals required careful consideration.

8. The UUP stated it wished to pick up on what the British Government had said about decommissioning. The party quoted paragraph 2(a) of the Procedural Motion dated 24 September and in particular the phrase "Plenary agreed to adjourn discussion of this item (decommissioning) to a subsequent Plenary". The UUP said no subsequent Plenary had taken place to discuss this issue and it was becoming increasingly concerned that the whole matter would be swept under the carpet. The British Government's comments gave the party further concerns since they had implications for the process as a whole. The UUP said it didn't wish to get into the details of the British Government's comments now but would consult internally before responding further. It was, however, quite clear that the review Plenary could not be brought to an end by the British Government's comments. It asked whether the process going to continue for the next three weeks without a Plenary being held on decommissioning.

9. The British Government reminded the UUP that a full session of the Liaison Sub-committee on Decommissioning would occur tomorrow. It proposed that that meeting take place as scheduled and following this if the UUP still considered the handling of the matter to be unsatisfactory, it could then be brought back to the Plenary at a later date. Sinn Féin intervened to ask the whereabouts of the UUP leader since the last adjournment had been sought by him yet his presence had not been apparent during the British Government's statement.

10. The Chairman asked for any comments or disagreement with what had been proposed. Responding to an SDLP question he stated that efforts were being made to contact the parties with a view to reaching a programme of bilaterals during the next day. The Chairman also pointed out that none of the business outlined over the next two weeks precluded the holding of a further Plenary meeting on decommissioning if the UUP so desired. The UUP pointed out that it was a continuation of the Review Plenary which it would be seeking if necessary.

11. The Chairman recapped on his earlier proposals and sought agreement from the participants to the schedule outlined in the next two weeks. Hearing no objections the Chairman said he wished to move on and seek comments on Alliance's proposal for a moratorium on press comments. The SDLP said it was a common-sense suggestion. The Chairman asked whether there were any objections to proceeding with it.

12. The SDLP asked for details of what Alliance had in mind when using the description "self denying ordinance"? Did it mean no party or individual could make comments? Did it also mean no party could offer comments anonymously or provide briefings of a subterranean nature? If it meant all of these, the SDLP asked how could they be prevented from occurring. Alliance said it had considered that a "self denying ordinance" should cover all of the above facets. The party said that no

one should have any time to carry out all or any of the above if they were serious about reaching agreement in the final two weeks.

13. The UUP said it objected to the Chairman's proposal to work five days in the week commencing 30 March since the Northern Ireland Forum met on a Friday. The party had no problem with working four days that week but had objections about Friday. The Chairman asked whether the UUP might agree to Friday being given over to bilaterals etc and hence no formal meetings would be scheduled. The UUP said this was a helpful suggestion.

14. Alliance said it found the previous UUP comments to be profoundly disturbing. Its own party conference was to be held on that Friday evening and over onto the Saturday, but its negotiating team at the talks would still be making itself available. The party said the UUP had many of its members already present at the Forum who were not "talks participants"; therefore it failed to understand the UUP's difficulties. Alliance said it hoped the UUP would reconsider its comments. The talks process was about finding a future for Northern Ireland. The Forum had difficulty finding an agenda on which to hold discussions.

15. The SDLP said the UUP was mistaken in its view that Forum meetings should have priority over talks business. The rule, contained in the legislation, was that the Forum was not to meet on any day which the Secretary of

State deemed inappropriate because the negotiations were to take place on the same day. The party agreed totally with Alliance. The participants were engaged on a serious job, and it was extremely difficult when the largest party in Northern Ireland behaved in such a childish way on a consistent basis. The attitude of the UUP was quite intolerable, but it could at least get its point of debate correct. It was not the negotiations which could not take place because of a clash with the Forum, but vice-versa. The UUP said that all parties present had been elected to the Forum, but some had childishly walked out of it. If the SDLP insisted that the Secretary of State rule that the Forum should not meet on Friday, then the UUP would have to consider that. There had been a great deal of time wasting in the past, and the party did not need lectures on it. The UUP was committed to this process, and did not consider that insisting on the things which all parties had signed up to in the Procedural Motion was a stunt.

Decommissioning was an important issue for the party. The UUP would not be signing up to any agreement until this issue was resolved to their satisfaction. Alliance asked if the UUP would prefer to go to the Forum to discuss rural transport, which was what was scheduled, or be in the negotiations to discuss decommissioning.

16. The UUP said it would be prepared to refer the proposal to meet on all five days to the Business Committee, and the party would consult with its Forum group. That was as far as it could go at present. The

party was not prepared to simply agree that the Forum be dispensed with. The British Government said the last comment was helpful. Two matters were getting mixed up. On decommissioning, there would be a Liaison Subcommittee on the next day, and no-one had rejected the idea of a further Plenary on the subject. On the question of meeting for five days, there was a proposal from the Chair. The British Government said it did not want to use the powers it had under the legislation to resolve this issue - it would prefer to try and find an accommodation.

17. The Chairman noted that there was agreement on every aspect of his proposal except for the matter of meeting on Friday, which would be discussed in the Business Committee, while nothing precluded a further discussion on decommissioning if the UUP wished it after the Liaison Subcommittee. The UUP asked if this meant the review Plenary was at an end? The party was concerned it might not get another review Plenary if it sought one. The Chairman said that over two years he had never prevented a party discussing issues important to it, and he was not going to start now, in the final few weeks. As the UUP leader had just joined the meeting, the Chairman called a ten minute adjournment to allow him to be briefed on the Alliance proposal for a moratorium on media comments.

18. The Chairman called the meeting to order again at 20.30 and said he needed an opportunity to talk privately with each party before making any further suggestions.

There were serious matters involved here. He adjourned the meeting at 20.23 to the call of the Chair.

Independent Chairmen Notetakers
31 March 1998