

SUMMARY RECORD OF PLENARY SESSION -
WEDNESDAY 18 FEBRUARY 1998 (1048) - DUBLIN CASTLE

Those present:

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

1. The Chairman called the meeting to order at 1048. The PUP wished to clarify some points made by Sinn Féin and Labour. Sinn Féin had said that the UDP had represented the UFF before the International Body, but the PUP believed that the UDP's position had been exactly like that of Sinn Féin, and asked the Chairman if he could clarify this. The Chairman said there had been very many requests for clarification of the International Body's Report, but that the members of the International Body had preferred to let the Report stand on its own, and had declined to expand on or interpret it. He felt it was best not to begin now. The PUP said that they themselves were the only group which had attempted to directly represent paramilitaries. There had been a fear at Lancaster House that exclusion of the UDP might create a dangerous situation, but if anything, the UDP and UFF had been more stabilised since the exclusion. The party could not tell, of course, if that would be the same for Sinn Féin. The PUP asked what message would be sent to

the unionist community if we appeared to be ambivalent to the two deaths. There seemed no choice as to what to do, on the basis of precedent. The party had not wanted the UDP to be excluded, but had recognised that they had to go. The same was true now - there was a danger otherwise of sending the wrong signal both to supporters and non-supporters of Sinn Féin. Lancaster House was the key precedent to follow, as it was the only occasion when a party had been expelled, and the two Governments were left now with no choice. The PUP hoped that the commitment which Sinn Féin had shown to non-violence was maintained, and hoped they would show the same resilience in trying to ensure a speedy return.

2. Sinn Féin invited the British Government, following the interventions of Labour and the SDLP, to withdraw its indictment of the party, as none of the relevant criteria listed by the SDLP had been met. The British Government said it was hoping to respond to the points made by parties at the end of the discussion. Both Governments will have to make the decision, but the British Government did not intend to withdraw its indictment at this stage.

3. Sinn Féin indicated that they wished to deal with a number of points. They said that all parties had experienced a bad week but there was no point in throwing brick bats at one another. Hard things may need to be said but they did not want to see anyone else ejected from the process - they had campaigned for all inclusive

talks and were still of that view. The irony that, on the word of the RUC, Sinn Féin could be excluded from the talks in Dublin Castle had not been lost on them. They also noted that an Irish Republican party was being excluded from the peace process by an English and a Welsh MP.

4. Sinn Féin continued by explaining that one of their members had lost a personal friend when he had been shot dead in their living room in 1983. Their response had not been to break off contact with the British Government even though they had suspicions that the weapon used in the killing had been acquired by loyalists with the help of the previous British administration. The British Government had a "brass neck" to tell Sinn Féin that they had now broken the Mitchell Principles, given the collusion between the previous administration and loyalist terrorists. They argued that over the last number of years the British Government had violated human rights and colluded with loyalists death squads. The people in the republican community did not accept the validity of what the Chief Constable had said as the RUC had been indicted by all and sundry within their community. Sinn Féin also questioned the entire basis of the whole British Government indictment. They also called into question the origins of the indictment against their party. They had noted that whilst participants had been in Lancaster House a major military operation had been mounted to retrieve a .22 pistol from a house in Hannahstown. Yet no military operation had

been carried against the murderers of Eddie Trainer. They asked why there had been a cover-up - everyone knew it had been the UFF but the British Government had been prepared to accept LVF claims without a recognised code-word.

5. The PUP asked if Sinn Féin would give way. They pointed out that the first people to identify that there was something strange about claims surrounding the Eddie Trainer murder had, in fact, been the PUP.

6. Sinn Féin said that they were being indicted very speedily and asked for the evidence against them to be made public. They had made it clear that they had abided by all the ground rules and could see no justification for their exclusion. It was their contention that the British Government should stand indicted for their failure to query the Chief Constable's assertion that the LVF had murdered Eddie Trainer.

7. Sinn Féin explained that on their return from London they discovered a greater fortified Andersonstown Road barracks but that it had not helped John McColgan. There was a policing vacuum in West Belfast and the only way to resolve the problem was to disband the RUC and establish a reasonable, credible and accountable police service. Sinn Féin argued that their record in the search for peace and democracy was second to none. They also recognised the great value of the work of the UDP. They had not indicted the UDP who had only been expelled once they had

admitted their guilt. Sinn Féin had not wanted them to leave the process and had campaigned repeatedly for all-inclusive party talks. They had noted that the UUP had campaigned against confidence building measures, rights, prisoner returns, fair employment and an end to discrimination but had singularly failed to condemn, upfront, any of the recent killings of totally inoffensive Catholics. Indeed, these people had been murdered against the background of a continued campaign against concessions to nationalists by the UUP. Sinn Féin also mentioned one particular case. John White had indicated that he had spend one whole morning talking to the UFF but nothing had been done or said about this claim. Sinn Féin wondered what the reaction would have been if they had claimed they had done the same with the IRA.

8. Sinn Féin said they had entered the political process by getting an electoral mandate. People have said in the past that they had no mandate so they had gone out and got one. Previously it was claimed other parties wouldn't speak to them because of the hunger strikers; another time it was because they were exploiting deprivation caused by 70 years of unionist misrule. Now they were being indicted because of what had been said by the RUC Chief Constable. They raised the murder of John Slane. In this case the RUC had produced no history of the weapon used and no assessment about who was thought to have killed him. Many questions had remained unanswered. Unless and until these questions were answered, Sinn Féin said the British Government stood

indicted. They asked who governed Northern Ireland - it was obvious that it was the RUC Chief Constable. They said that they had believed the Secretary of State had wanted to resolve the Garvaghy Road problem and a whole raft of other issues but they now saw that her hands were tied. She was not really in charge. Sinn Féin could have adopted a policy backing violence, given the actions of the RUC over a number of years. They had operated systematic brutality which should not be forgotten.

9. Sinn Féin also took issue with the Alliance party. They had expected them to adopt their position and come in on the back of a meaningless, fundamentally flawed indictment. They invited Alliance to tell them how they had demonstrably dishonoured the Mitchell Principles. If they didn't accept Sinn Féin's statement, then there was nothing Sinn Féin could do. Sinn Féin also challenged Alliance on democracy - when the party underpinned discrimination how could they be democratic?

10. The NIWC said that they started from the proposition that everything was possible. They did however want to see the operation of a level playing field. When the DUP and the UKUP had brought an indictment against the PUP, over the CLMC threat against Billy Wright, both the PUP and the UDP have been asked a series of questions. In answering these, they had been able to demonstrate that they still stuck by the Mitchell Principles. Their assertions that they had not dishonoured the Principles had also been taken at face value. They also had been

given the opportunity to argue that the threats against Billy Wright were the actions of others and that they weren't sure whether a condemnation of them would have the desired effect. The NIWC said they wanted to place on record that the same questions and opportunities should be given to Sinn Féin. They said that they also wanted to place on record that when the UDP and the PUP expressed their views an indictment had not been upheld.

11. The PUP said that participants had spent a considerable time listening to allegations made by Sinn Féin. They said that they could ask the same questions about IRA collusion with the RUC. There was no difference in their argument and that of Sinn Féin's.

12. Sinn Féin said that they wished to take the opportunity and place on record the role of the PUP and the calming influence they had brought the process. They accepted the great suffering of Shankill people at the hands of republicans but pointed to the fact that there had not been a Stalker Report/Sampson Enquiry into possible IRA/RUC collusion.

13. The PUP said that they were not prepared to go into details about the accusations against Sinn Féin. They accepted that they had an electoral mandate but those votes were not being heard because the votes had been cast for the forum; the talks were the child of the forum, but Sinn Féin had chosen not to go. They argued

that parties were elected to the Northern Ireland Forum but invited to the multi-party talks.

14. The PUP argued that when Sinn Féin had received their invitation to the talks the suggestion would have been that they represented the IRA. They could have gone to court beforehand to establish that they were entering the process as a political party and not as the political wing of the IRA. However the PUP had no doubt that Sinn Féin were seeking peace but they were annoyed that they believed that they were the only ones who were taking any risks. They recognised that John Hume had made great efforts but said that during their time in senior positions within Belfast City Council they had continued to call for the IRA to lay down its arms. What did Sinn Féin think the PUP had been doing when Sinn Féin were in Portadown and Londonderry calling for peace. They had been in Ainsworth Avenue doing likewise. During the same parade that Sinn Féin had mentioned, PUP members didn't get to bed for six or seven days and had been more worried about peace than their own personal safety. All parties could go back and talk about pain and discrimination, pockets of unemployment and families living on less than £100 a week. A friend of one PUP member had dug his niece out of the rubble of the Shankill bombing and hadn't even known that it was her at the time. There had been other atrocities like Bloody Friday and the bombing of the La Mon House Hotel where the perpetrators would have known that all the victims would be Protestants. The PUP said that those were some

of their journeys, which they hated taking, but if Sinn Féin were prepared to take them then so were they. They said that sometimes to have a future one needed memories - one couldn't forgive if one couldn't remember.

15. The PUP said that whatever decision was taken they hoped that Sinn Féin would continue to hold their people together. The PUP wanted to be treated like those in the rest of the UK but they knew half a million people who did not want to be any part of it. However, the British Government, the Irish Government and the US Government had all accepted that there would not be a united Ireland until the people of Northern Ireland agreed. They asked Sinn Féin why they would not go for what is possible, and not a united Ireland.

16. The PUP also raised the issue of Belfast City Council. Nothing happened within the Chamber which didn't happen elsewhere in Great Britain. Indeed, the system was fairer than any operated in Great Britain or in Dublin where members of the opposition wouldn't even get a coat hanger let alone a Deputy Chairmanship. They also observed that Sinn Féin had said that they did not want a return to Stormont. Neither did the PUP. They didn't accept the Sinn Féin charge that there had been 50 years of misrule but argued instead that there had been 50 years of misrepresentation. Protestants had been made to believe that they were first-class citizens whereas Catholics believed that they were second-class. The truth was that all were third-class citizens. The PUP

wanted to see all cities getting what Londonderry had got. They asked Sinn Féin to leave aside their aspirations and strive for what was achievable in Northern Ireland. After all, the UUP had given them all the assurances they needed.

17. Sinn Féin said that they had mentioned Drumcree in direct response to their indictment. The PUP replied by saying that they would match anything that Sinn Féin had to say. This was not Sinn Féin's last chance but the PUP believed that it was the best chance for Northern Ireland to end the violence and share Northern Ireland together. Participants were so near and yet so very, very far from getting it right. The PUP asked Sinn Féin to judge them not by their roots but by the fruits.

18. The SDLP said that there was great danger of turning discussion into a contest of memories. All participants knew that the process was facing a very serious matter and it was important that all addressed the issues as seriously and coherently as possible. The SDLP had pointed to previous procedure and thought it was a good yard stick. But they believed that one had to look at all precedents and not just the ones where particular conclusions were drawn. They said that they hoped that a full and scrupulous regard would be given to all the criteria set down. In the past they had said that if the UDP had taken steps to discourage the UFF then they should stay in. They called upon Sinn Féin to make a statement along the lines of those which allowed others

to stay in at the times of their indictments. They called for all to avoid saying anything further which would damage the process. They were not in the process to defend or back Sinn Féin, the UUP or the Alliance party.

19. The SDLP also noted that past events had been raised during the course of the days discussions but they would get participants nowhere - in fact they would only push parties further apart. Talk about exit strategies, threats about only thing or another, helped in no way. The SDLP said they would rather hear people reassuring other participants that no threats hung over a particular outcome of the determination which the two Governments would be making. They asked for all parties to avoid recriminatory discussion.

20. The SDLP said that they thought that it would be important for the Governments, before they came to any conclusion, to inform themselves properly by going back to previous minutes of those meetings where indictments were heard. Comparisons with what had happened in Lancaster House, where no actual indictment was made, would not be acceptable or sufficient to discharge the requirement. They wanted to hear sound arguments to link the killings with those involved in the process. Clearly some parties had made statements of disavowal but maybe something hadn't yet been heard. There was perhaps something that could be said again to help. No participants, they were sure, wanted to make things any

harder. Rehearsing other events would not help and they asked all participants to try to concentrate on the task in hand. They hoped too that the British Government in particular would endeavour to answer some of the questions raised about the Chief Constable's assessments about previous killings, in particular, about when information on these killings had been received. A precedent would be established this time that any future assessment by the Chief Constable would trigger automatic expulsion. They wondered if this only applied to public statements.

21. The SDLP said they wanted to make clear that they were not ambivalent to any deaths. However, they asked that the British Government go back to precedents and remain consistent in their approach. That at least would offer participants some basis for continuing with the talks. Of particular help would be statements from parties saying that threats about how they would react to one decision or another would not now be followed through.

22. The meeting adjourned for lunch at 12.40pm. The Chairman indicated that the Plenary would recommence at 1.35pm.

Independent Chairmen Notetakers
3 March 1998