

**DRAFT SUMMARY RECORD OF OPENING PLENARY SESSION -  
WEDNESDAY 5 MARCH 1997 (12.10)**

Those present:

<b>Independent Chairmen</b>	<b>Government Teams</b>	<b>Parties</b>
Senator Mitchell	British Government	Alliance Party
Mr Holkeri	Irish Government	Labour
General de Chastelain		Northern Ireland Women's Coalition
		Progressive Unionist Party
		Social Democratic and Labour Party
		Ulster Democratic Party
		Ulster Democratic Unionist Party
		United Kingdom Unionist Party
		Ulster Unionist Party

1. The Chairman convened the meeting at 12.10 and on behalf of all participants, offered condolences to the leader of the UKUP whose sister had passed away since the last plenary session. The Chairman then moved on to the approval of the draft record for 26 February. On hearing no objections, the Chairman approved the minutes as circulated.

2. The Chairman said that for several weeks, all participants had been trying to achieve agreement on item 2 of the opening plenary agenda. There had been considerable discussion in a variety of formats and some of these had more recently involved the Chairmen, at the participants' request. However, despite these extensive discussions no agreement had been reached on item 2. As had been outlined in the previous weeks plenary, the time was now approaching when an announcement of a General Election, the actual date of which presently appeared to be 1 May, was likely to be made. In addition to this the Northern Ireland local District Council elections were scheduled for 21 May. The Chairman said that in the last few days meetings with the participants had allowed views to be solicited on how the process should be left prior to the elections period. Suggestions had been made during

those meetings about adjourning the process today or in the next number of days. The Chairman said he now wished to ask for the views of participants on this matter following which he would suggest that the plenary adjourn until Monday 2 June.

3. The DUP raised a point of order seeking clarification on whether participants would have the right to consensus on adjournment. The Chairman stated that, at this point in the discussion, he was merely asking for the views of participants and no such proposal for an adjournment had been put forward by him. The DUP then asked the Chairman whether he was going to exercise his power, as set out in rule 20, to adjourn the plenary himself or would all the participants be able to decide on this by means of consensus? The Chairman restated his view that the participants should, if they so wished, put forward their comments on the issue first. The question of how a decision would be taken would then be reached at a later point. The DUP said it would raise this procedural issue again at an appropriate point later. The party continued, saying that the present position with regard to the calling of an adjournment by the Chairman seemed to be at odds with what it had been told the previous day by the Chairman's two colleagues when they had referred to the talks body taking that decision. The DUP said there seemed to be a tendency to change the rules when it suited and it didn't like this occurring. The Chairman said that while he respected the views of the party, he rejected the statement that changes were now being made to what had previously been said and wished to refute the DUP's allegation. The DUP returned to the point saying it was the body that was changing the rules. It was not attacking the Chairman. The Chairman said he was now going to solicit the views of the participants. In referring to the question of an adjournment, he said he would be guided by the letter and spirit of the existing rules of procedure as well as the views of the participants before a decision was taken. Those who wished to express their views could now do so. The Chairman said he would ask both Governments

to begin and following this the DUP would be asked for its contribution.

4. The British Government said that the process was forced to acknowledge last week that, despite the intensive efforts by the Chairman and his colleagues and staff, there was little prospect of any measure of agreement in the negotiations in advance of the forthcoming elections. The British Government said that in these circumstances it believed it would be quite wrong and dangerous to remain here; it would do the process no good and would risk damage to its credibility outside. The British Government stated that what was important now was to ensure that the process could return after the elections with the best prospects for agreement and that objective, it believed, was still best served by the Chair's remarks. It therefore fully supported those comments. The DUP intervened to ask for clarification as to the numbers of officials sitting behind the front row delegates. The party said it was about time the process started adhering to the rules. The Chairman said he believed the present numbers complied with the rules. The UKUP said it too believed numbers were now in order. The SDLP said that a member of the DUP back-up team had now left the room so it appeared everything was presently in order. The Chairman confirmed this position on looking around the room. He then asked the Irish Government to continue and present its views.

5. The Irish Government said it too saw little prospect of further progress being made at this time. It was important, however, that the process should be kept intact. While progress had been limited to date, it was also vital to continue with the talks and it therefore fully supported the Chair's earlier remarks concerning an adjournment until 2 June. The Chairman then asked the DUP to begin the tour de table.

6. The DUP stated that there was business on the table. The party said that evidently the British Government viewed it as "dangerous" for the process to continue with this business. But

the party stated that its business was enshrined in the following proposals. The DUP then read these aloud as follows:-

1. Those involved in or associated with paramilitary groups actively engaged in, planning or threatening terrorist activity shall not be invited to enter the negotiating process.
2. Those involved in or associated with paramilitary groups that were formerly engaged in terrorist activity should not be invited to enter the negotiating process unless and until they have renounced terrorism.
3. Those involved in or associated with paramilitary groups that were formerly engaged in terrorist activity should not be invited to enter the negotiating process unless and until they have proclaimed a complete, permanent and universal cessation of violence.
4. Those involved in or associated with paramilitary groups that were formerly engaged in terrorist activity should not be invited to enter the negotiating process unless and until they have demonstrated, to the satisfaction of other delegations, that they are committed to the use of exclusively peaceful means of effecting political change.
5. Holding a stockpile of illegal weaponry is inconsistent with an adherence to the principles of democracy.
6. Holding a stockpile of illegal weaponry constitutes an actual or implied threat to other delegations that recourse to violence will result from a refusal to accept proposals submitted by the possessors of illegal weaponry.

7. A participating delegation holding a stockpile of illegal weaponry would represent a bar to achieving a *level playing field* in the negotiations.
8. Those holding a stockpile of illegal weaponry must commit themselves to a detailed programme and timetable for complete decommissioning in order to remain in or enter the talks process.
9. Those holding a stockpile of illegal weaponry must, as tangible evidence of the start of a process, commence decommissioning by handing over a meaningful proportion of their weaponry in order to remain in the talks process.
10. In the absence of mutuality the hand-over of the remainder of a stockpile of illegal weaponry would be frozen.
11. IRA/Sinn Fein, if otherwise entitled to join the talks process, must decommission its illegal weaponry according to the programme of decommissioning before entering the talks process.
12. If otherwise entitled to join the talks process, both of the component parts of the republican movement must publicly subscribe to the letter and spirit of the 6 Mitchell Principles.
13. If, and as soon as, IRA/Sinn Fein fulfils the obligations outlined above, the paramilitary groups associated with those presently in the talks process will then meet such commitments under the decommissioning programme as were frozen as a result of the mutuality clause.
14. The programme of decommissioning shall not be linked to political concessions being granted to the possessors of illegal weaponry.

15. A failure on the part of any group holding illegal weaponry, to undertake or honour its commitment to the programme of decommissioning shall, with immediate effect result in such a group being excluded from the talks process.
  16. A failure, on the part of any group holding illegal weaponry, to undertake or honour its commitment to the programme of decommissioning shall, with immediate effect, be met by an all-out, determined and robust drive by the security forces in the United Kingdom and the Irish Republic, to discover and remove from circulation all illegal weaponry.
  17. The 3 stranded negotiations shall not commence until all decommissioning requirements have been met.
7. The DUP reminded the Chairman that the party had already tabled these proposals, had asked for a discussion on them on more than one occasion and had sought a determination on them. The party said that was all it was seeking. The DUP said it was duped by the British Prime Minister to enter the negotiations on the basis that decommissioning would be addressed immediately after participants declared their support for the Mitchell principles. The party had laid these proposals down but were now bound by the sufficient consensus constraint in the rules and hence couldn't have them determined as a result. The DUP said it seemed to some to be more important that deals were cobbled together outside of the formal process. Yet when such activity occurred, as it had done recently with the Alliance/SDLP/UUP group, and other parties had wished to gain greater detail of those deliberations, it had only been offered a briefing; not even a copy of the document which apparently had been 90% agreed between the group was shared. The DUP said the real reason why the process wasn't dealing with decommissioning was that neither of the two Governments wanted to deal with the issue and this was why when others wished to continue

the talks, this was viewed as "dangerous" by the British Government.

8. Moving on, the DUP referred to the Chairman's earlier remarks and asked whether the talks were going to be adjourned or suspended? If it was the latter then what would be the position of the Northern Ireland Forum? The DUP asked what was in the mind of the British Government on this issue? If the participants should agree with adjourning the talks what did this mean for the Forum? The DUP asked how could the process itself discuss adjourning if the fate of the Forum was unknown? The party said it fully realised that some participants saw the Forum as an embarrassment - namely the two Governments and the SDLP who wanted it stopped; other participants were boycotting it. But, said the DUP, it needed to know today what the future status of the Forum would be. For example would it meet on Friday of this week if the talks were adjourned today?

9. The DUP continued, referring to earlier remarks from the British Government. The DUP said that the meeting had been told by the British Government that it would be "dangerous" for the talks process to continue meeting. The DUP asked what the reasoning was which lay behind this statement. Perhaps, said the DUP, it was because the Northern Ireland Forum was seen as "dangerous" since it provided a free expression of views which others didn't like. Yet these views represented the results of the ballot box last May and were important and couldn't be ignored. Those elected to the Forum had set out their policies and gained a mandate from the electorate on these. In the DUP's case, it was at the table ready to discuss decommissioning. It had proposals already on the table. It was now a matter of getting on with the determination of these.

10. The DUP recalled other comments from the Chairman in relation to the forthcoming general and local elections. The party said that even if the general election did take place on 1 May, the announcement to that effect would not be made until after the

Easter recess. There was therefore plenty of time to discuss decommissioning. The DUP said it wished to have all the facts put on the table regarding the status of the Northern Ireland Forum. It needed to know today when the Forum would end and restart. The party said it would not return to the talks process until it knew the position of the Forum. The DUP said that election to the Forum got participants to the talks. One could only gain entry to the talks if one was first elected to the Forum. The party said it had heard an NIO spokesman earlier saying that the Forum had absolutely no connection with the talks. This was completely wrong. The plain fact was that linkage between both existed. Even the SDLP leader was present as a result of his election to the Forum and only as a result of this. The DUP said it had seen other bodies destroyed in the past by the machinations of the Dublin Government. It did not want this to happen again and therefore needed to be absolutely sure of the Forum's position.

11. The DUP said it had heard, on several occasions, the view being expressed that the talks hadn't achieved great success because the participants didn't wish to make progress. The party asked how it could make progress when the only document on the table from the Governments was rejected by the electorate? The people did not want the Framework Documents. Even the UUP with all its shenanigans was opposed to them. The DUP said that those parties who had supported the Framework Document had been shattered in terms of electoral support at the Forum elections. The Framework Document was a republican document. It set Northern Ireland on the road to a united Ireland. The DUP said it wasn't prepared to go down that road. The party said there was already too much interference with the talks process in terms of the internal affairs of Northern Ireland. The Chairman, his role and that of the Irish Government were such examples of interference. The DUP said the process was really in trouble because it hadn't produced the answer which both governments had wanted and this was why it was "dangerous" to continue. The DUP said it expected to hear a statement from the Chairman so that it would know exactly



what was meant by the term "adjournment". If the Chairman was going to issue a statement along these lines, then perhaps it might be useful if he could tell everyone exactly what it meant, said the DUP.

12. The Chairman said that, as he understood it, the DUP wished to oppose the plenary debate now on the future handling of the process and instead propose the determination of its decommissioning proposals. The DUP nodded in agreement. The Chairman said, in view of this, he now wished to ask participants whether they wished to hold a debate, in plenary, on the DUP proposals.

13. The UKUP intervened with a point of order. The party said that in so far as there was business on the table, there was also a UKUP motion of some six paragraphs which had been tabled previously. The UKUP said that this motion might usefully be coupled together with the DUP proposals outlined earlier. The Chairman said he accepted this and now asked the parties whether each wished to proceed to debate the DUP/UKUP proposals. He asked the British Government for its comments.

14. The British Government said it believed that for the reasons already outlined in its opening remarks, it did not believe that such a debate would be helpful to the process at this time. The British Government said it was therefore opposed to a debate on the DUP/UKUP proposals. The Irish Government said that it had listened carefully to the DUP's comments and referred to the process being deadlocked on decommissioning in a formal sense since mid October last, and in an informal sense for much longer. It was valuable and uncontested common ground on all sides that this issue was one of the essential goals to be achieved by the process. The Irish Government said that the road map to that goal had been set out with great skill and objectivity in the Mitchell Report. If decommissioning was ever actually achieved, it was a very safe prediction that it would be recognisably on that basis. The Irish Government said that both it and the British Government were fully

committed to the implementation of all aspects of the International Body's report. As an indication of its intent, the Irish Government said it had already enacted legislation to allow for decommissioning to take place within its jurisdiction in accordance with the recommendation of the Body. The Irish Government said it appreciated the understandable anger and fears of the unionist community on this issue. Indeed these sentiments were widely held on all sides. That was surely, however, a reason to join with both Governments and other delegations in working patiently to create conditions which would actually make decommissioning a reality, and avoid merely wishful or symbolic approaches to the issue which actually undermined that goal. The Irish Government said that in these circumstances it believed it was timely to adjourn the process at this stage. It therefore agreed with the British Government's view that a debate on the DUP/UKUP proposals would not be helpful to the process at this point.

15. Alliance said it had no objections to the DUP/UKUP proposals being debated and determined. It did, however, have some worries about holding an open ended debate since this might mean that resolving the other question of adjournment could be postponed indefinitely. Alliance said it might be worthwhile to consider limiting the debate, since the proposals and arguments were already well known, to 30 minutes, to enable the proposers to put forward their case before reaching a determination. If this was what the participants wished, then so be it. Labour said it did not support the idea of an open ended discussion but did not wish to stymie debate itself. On the question of adjourning the process, Labour said it was content to support the views offered earlier by the two Governments. The NIWC said it had no problem with the holding of a debate on the DUP/UKUP proposals. However, like Alliance, it too wished such a debate to be time limited. The PUP said it believed the Alliance suggestion to be a reasonable one. What was of greater importance, however, to the party was a specific date and time for the process to resume.

16. The SDLP said that, as a general principle, it had no problem with the holding of a debate as proposed. However the issue of decommissioning had been before the participants for a long time and it was clear that no progress was likely to be made at this time. The party said that the necessary degree of sufficient consensus was unlikely in order to make progress. The SDLP said it also recognised that the proposal to debate such matters now was being put forward by two parties who hadn't involved themselves in attending briefings arranged by the trilateral parties when these had been taken forward by that group in a very constructive manner. The SDLP also stated that it believed there were clear electioneering tactics being deployed at this juncture by the two parties and it therefore was not inclined to support the view that a debate on the DUP/UKUP proposals should proceed.

17. The UDP said it had no wish to stymie debate. However the party questioned the value of holding such a discussion since it was unlikely to bring agreement around the table. The UDP said it would be reluctant for the process as a whole to be distracted by such a debate when the real focus had to be on a date for resumption. In this sense, a date for reconvening the process needed to be hammered out first and foremost before any other issue was dealt with.

18. The UKUP referred to its six paragraph motion, tabled before Christmas and which had been supported by the DUP. The party recalled that it had sought a determination on its contents. However a written ruling by the Chair had concluded that while each participant had a right to raise any significant or relevant issue of concern to them and to receive a fair and reasonable hearing, such a right did not include the absolute right to have a vote on each issue. The UKUP asked whether it might be useful to consider having a short adjournment so that it could be determined which proposals would be discussed should a plenary debate be held. For example, on the one hand, was the UKUP's original motion agreed by both parties - or were they two separate motions and so on. On the

other hand, the UKUP said that there was essentially no necessity for a debate on the matter. The party was quite satisfied that the proposals had already been well aired and that all that was actually required at this stage was to take a vote on them. The UKUP said that if there was general assent for dealing with the issue by taking a vote, then this might be the shortest way of handling the business.

19. The Chairman recalled the fact that the actual question was whether participants wished to debate and determine the DUP/UKUP proposals on decommissioning. He said that was what he understood the present position to be and so far all parties had expressed a view on the matter apart from the UUP. The UUP made reference to the earlier UDP remarks in confirming its view that the most important point requiring determination was a resumption date. With regard to the proposal for a debate, the UUP said it had no difficulty with such a concept. There were, however also UUP decommissioning proposals on the table and the party said it would wish to have the opportunity to put these forward on a paragraph by paragraph basis to establish whether agreement could be reached on individual issues. The UUP said it had no difficulty in agreeing to a debate at this stage.

20. The DUP asked for clarification of the present position. The party said that the Chairman had invited all participants to submit proposals on or around 13 November 1996. The DUP said that the seventeen point proposals read aloud earlier had been submitted on 13 November. The party had previously stated that it wished to have a debate and a determination of these; other parties had stated similar sentiments. The DUP said that the UKUP had then put down a catch all motion. Continuing, the party said it was unwilling to walk away from the talks process without these proposals being addressed. Referring to the comments of Alliance some moments earlier on the procedural handling of such a debate, the DUP said it agreed with these remarks but wondered whether a determination of the proposals couldn't be achieved without

requiring the 30 minutes suggested and, as an alternative, dealing with each on a paragraph by paragraph basis. The party said if there was a need for a short exposition in certain circumstances regarding some of the proposals then this might only require a few minutes of time at most.

21. The Chairman, having heard comments from all the participants on the proposal to debate the DUP/UKUP proposals declared that there was insufficient consensus for a debate to take place. Moving on, the Chairman then asked participants to consider and decide on his earlier suggestion, now a proposal, to adjourn the process until 2 June.

22. Alliance sought clarification of the Chair's comments. The party referred to the Chairman's statement regarding participants having to consider and reach a determination on the proposal for an adjournment. The party asked whether such a move was being taken under procedural rule 20, for if it was, the clear implication must be that only the Chairman could make a determination. The Chairman, in response said that he now wished to hear the views of participants with the regard to the proposal to adjourn the process until noon on 2 June. The DUP asked the Chairman what he meant by the word "adjourn". The UKUP intervened to seek clarification as to the precise status of the current debate. The party recapped on earlier business, pointing out that following the Chair's opening remarks, both Governments and the DUP had given their views on the original suggestion of an adjournment. The process had then got into a tour de table, seeking views on whether a debate should be held on the DUP/UKUP proposals on decommissioning. But there was insufficient consensus for this. The UKUP asked the Chairman, in these circumstances, whether he was still taking the views of the parties on the adjournment issue and if this was the case, was the UKUP not the next party to continue presenting its views on the issue? The Chairman acknowledged this.

23. The UKUP said that, lest there be any misunderstanding, it bore reiteration that the Chairman was a man of absolute integrity, of great political skill who had been invited by both Governments to chair the talks. The party said that its objections to Senator Mitchell as Chairman had no personal basis whatsoever. They were, however, based on the maxim of selecting the best advocate to attempt to solve a flawed process. The party said that it seemed the process had essentially failed. With regard to the statements by the two Governments it now seemed that everyone was presiding over the obsequies of the process, but what was really required was a soft landing. The UKUP said that the process had produced nothing of a positive nature, not because of deficiencies on the part of those present, as superficial commentators had contended, but because the old story had re-emerged of "examinations" being set by the British Government for local politicians; tests which they were sure to "fail". The talks had failed because they were based on a whole series of false assumptions. Firstly there was the belief that Sinn Fein/IRA would adopt or submit to the principles of democracy alone. Instead everyone had seen the IRA again resort to violence to bring pressure on both Governments and the United States. It was entirely false, said the UKUP to think that Sinn Fein/IRA would adopt any other position. Secondly there was the acceptance by the Mitchell Report of Sinn Fein's commitment to peace. This was also false since it had now been proved that the IRA was planning further outrages at the same time as it was stating its good faith to the International Body. Sinn Fein had been like Hitler, claiming peaceful intentions but preparing for war. A third false assumption was the view held by both Governments that the pro-union people would accept a policy of appeasement on the basis of the Joint Framework Document, which offered Irish unity by inducements. In other words, the UKUP said, the Framework Document was viewed as sufficient to meet the demands of Sinn Fein with the acquiescence of the pro-union people.

24. The UKUP stated that the peace process was a long time in duration. The Joint Declaration set out the parameters and was a

declaration of intent. The party said the talks had foundered on decommissioning. Yet decommissioning was to be addressed immediately after the participants acceptance of the Mitchell Principles. The UKUP said that still, after eight months, this issue had not been addressed. Furthermore the issue would remain throughout the adjournment period - be this eight weeks or ten years. It wouldn't go away irrespective of what the British Government had said in its opening remarks today. The party said it now wished to look at those comments again. It asked what was meant by "wrong and dangerous"? Were these words used because if an extension of time was given to the process it would have become more and more evident that decommissioning wouldn't be resolved? If this was the case what was the corollary to this position after the election? Perhaps it might be "dangerous" then because the UUP could be in the position of doing a deal with the SDLP and Alliance without having to fulfil their commitment of disclosing to the electorate in advance what their position was on fundamental issues? The UKUP said it wished to look more closely at the UUP position in all of this. It said it (the UUP) had stated that it was anxious and willing to resume talks after the election recess. What then would be different after the election from the UUP's viewpoint? Would the elements surrounding decommissioning have changed? Surely what would be different would be the political position of the UUP post the election. The UKUP said that a considerable amount of time had been spent talking about the procedural rules and the linkage between these, the Ground Rules and the Framework Document. The UKUP said that there was a view that the Framework Document had to be central to the talks. The party said that the Irish Government's Attorney General had argued, during a plenary meeting, that the talks body couldn't remove the Ground Rules because they were embodied in a Command Paper and an Act of Parliament. This was why they were absolutely central to the negotiations. Even the week before last Cardinal Daly had said that the Joint Declaration and the Framework Document were two crucial elements of the present process.

25. Alliance intervened saying that it thought it had understood the UKUP to say that the Framework Document was referred to by the Irish Attorney General in legislation. Surely this wasn't the case. It was the Command Paper which had formed the Ground Rules. The UKUP said it had been attempting to say that because the Framework Document was referred to in the Ground Rules and the Command Paper it had to be regarded as a fundamental and central element of these negotiations. Continuing on the UUP issue, the UKUP said that that party (the UUP) wanted to be seen to be saying that it was in favour of a resumption of the process. The UUP wanted to say that it was entirely made up of nice people, yet at the same time it wished to beat its chest to the electorate and oppose the Framework proposals. The UKUP asked how was it then possible to continue with talks on this basis when the UUP's position posed the sort of difficulties which the SDLP had ran into during their negotiations with it. The key question lying at the heart of this was whether the UUP was willing to state whether it accepted the Framework Document.

26. Moving on, the UKUP said it would have liked a determination of the decommissioning issue today. Without this all that would happen would be the postponement of a difficult and complex issue. The whole situation smacked of trailing along a procedure and mechanism to attract Sinn Fein whenever Sinn Fein was evidently not attracted by it. The UKUP said the NIWC had been right to point to the fact, in recent statements, that the ghost of Sinn Fein had haunted the process. The Governments' position in this had failed. The whole process had failed. The party said that negotiations were the only way forward but the terms of the negotiations provided no prospect of ever achieving success.

27. The UUP said that no one could have come to the meeting today with any sense of achievement. While everyone had to share a degree of blame, the deck had been stacked against all the participants from the start. The UUP said that perhaps the remarks made by the Tanaiste's advisor, Fergus Finlay, had set the tone



when he had said that the process was "not worth a penny candle without Sinn Fein". The UUP said that perhaps the Tanaiste, who was present, might take the opportunity to either repudiate or endorse Mr Finlay's views. The party said it had noted the comments of Mr Hume, Mr Ahern and Mr Bruton that talks could continue without Sinn Fein. This had always been the UUP view, but the process provided for the arrival of Sinn Fein without any guarantee of its commitment to peaceful means. The UUP said that an arbitrary political decision by a Secretary of State whose identity was as yet unknown, was all that was required to involve Sinn Fein, together with a commitment to sign up to the Mitchell Principles, which would only be from the teeth out. The party said that the confirmation on RTE the previous evening of Sinn Fein's involvement in stirring up last summer's trouble should cause even the most sycophantic apologist for Mr Adams to reflect on the wisdom of clinging to the proposition that the IRA could be brought into the political process without totally corrupting it. The period since Canary Wharf must surely have convinced the most ardent supporter of the talks process that the concept of involving such people in it had been a resounding flop.

28. The UUP said that Sinn Fein continued to pose a major threat to the democratic process both in Northern Ireland and, as Dublin appeared to have overlooked, in the Republic as well. The UUP welcomed the 1994 cease-fire and everyone had benefited from the absence of most of the violence. The party wanted to see a new cease-fire, a genuine, universal and permanent one, so that all could proceed to exploit their resources and improve the quality of life for all citizens. The UUP said it looked forward, after the election, to pursuing with participants how everyone might proceed without Sinn Fein, as it saw no other way. Decommissioning was the issue which currently divided the process but it was the UUP's only defence against the arbitrary decision referred to earlier. The fact that a consensus had not been achieved on the issue was a matter of regret, but everyone had to persevere. The UUP said it strongly believed that there were many matters where progress could

be made, where consensus was possible to ensure that no political vacuum was left for the men of violence to fill.

29. The UUP said it had great sympathy and thanks for the Chairman and his colleagues and staff. It said the Chairman had demonstrated great patience particularly when he was involved in other business away from the talks. The UUP said it was very grateful for all the assistance of the Independent Chairmen even when it was not possible for all three to be involved to the same extent as in recent days. In referring to the UKUP's remarks earlier, the UUP said that when the Framework Document had been released, the party had opposed all its major provisions and continued to do so. The UUP said that when the process resumed, the British Government must reassess its objectives so that a relaunched process could succeed and achieve these as opposed to asking parties to deliver agreements which were impossible. Working as the process had done, to try to find total solutions in one go was not right. This format needed to be radically reassessed in terms of how the process should proceed. The UUP said that if participants attempted to build trust and confidence between each other, one step at a time, then this might be better than trying to go at intractable issues and resolve them in one bite. The DUP intervened to ask the UUP whether it (the UUP) was suggesting that decommissioning was one such issue. The UUP said it hadn't been referring to decommissioning but rather the fundamental differences between unionists and nationalists and the mutually contradictory position that existed between them. The party said that while decommissioning couldn't be discarded from the agenda, neither did it absolve any British Government from reassessing the overall process as had been previously suggested.

30. In conclusion, and with the question of a debate on item 2 having been set to one side, the party said the issue of an adjournment should now be considered. However, the questions raised earlier by the DUP in relation to the Northern Ireland Forum also needed to be addressed. The UUP said it regarded the Forum

and the talks process as one in the same. If there was no future for the Forum, then there was no future for the UUP at the talks. The party said it hoped the British Government was fully aware of that position. This was why clarification of the Forum's position was needed now since it was only fair for the Forum members to know their fate as soon as possible.

31. The UKUP intervened to clarify an earlier statement regarding its references to the Framework Document. The party said that in the Entry to Negotiations Act 1996, Section 2, sub-section 1 stated that the negotiations mentioned in Section 1 were the negotiations referred to in Command Paper 3232 presented to Parliament on 16 April 1996. That same Command Paper in paragraph 4 referred to "the two Governments for their part, have described a shared understanding of the parameters of a possible outcome of the negotiations in 'a new Framework for Agreement'". This was the "Framework" connection which the party had been referring to earlier. The Chairman then asked for the British Government's views on the adjournment issue.

32. The British Government said that, in view of comments expressed earlier, it had no further contribution to make on that point. However, it thought it might be useful to come back on the references to the Northern Ireland Forum. The British Government said the Forum was not an embarrassment to it as had been remarked earlier. Under the legislation it was for the British Government to consider whether the talks process was suspended or adjourned. The British Government said it would reflect on the status of the process when the plenary had concluded today. It said that if it were to conclude that the talks process was suspended, then it would have to bring forward an Order to suspend the Northern Ireland Forum which would in turn be debated on the floor of the House of Commons. If such an Order was needed then it obviously took time for it to be laid, scrutinised, debated and finally approved or disapproved. It was therefore, in the interim, open to the Forum to continue until this point was reached.

33. The UUP referred to the legislation and its use of the words "conclude" or "suspend". The party said that what was presently being discussed by the plenary was an adjournment. The UUP said it regarded any break in the talks process as a recess or an adjournment and was therefore opposed to any conclusion or suspension. It then asked for clarification from the British Government as to its position on this issue. The British Government, in reply, said it wished to look at all the relevant circumstances before coming to a decision on the Forum. The DUP asked whether there was also a distinction to be made in relation to the question of the Forum if a date for a resumption of the talks process was given or not. The PUP stated, with regard to the British Government's last remarks, that the issue was one of adjournment, not conclusion or suspension. If the participants were presently dealing with a proposal from the Chair then it needed to be adjudged on the basis of an adjournment and nothing else. The Chairman asked Alliance to continue and present its comments.

34. Alliance said that it wished to express its gratitude to the Chairmen and their staff for their patient and diligent work over the period of the talks. It was not the case, the party said, that the process had failed. The participants had to assume the responsibility for their own actions. Much time and energy and resources had been made available to the participants, but the reality was that they had wasted the opportunity to move forward. As to the talks themselves, the party said that a paper on decommissioning had been produced, and it had no objections to a determination being reached on the motion raised by the UKUP. That party had been correct in saying that there had been a decision in plenary to set a determination in that matter aside, so Alliance took the view that a vote on it at the present time would have been justifiable. However, the party noted that the meeting had decided otherwise. With regard to the matter of decommissioning, Alliance said that no useful progress on the issue was possible at present.

That much had been clear since Christmas. From the Alliance viewpoint, the suggestion regarding the adjournment was a reasonable one and it also regarded the proposed date for resumption of the talks as acceptable.

35. Alliance, felt however, that it had to sound a cautionary note in relation to certain matters raised by the UUP, insofar as that party had indicated that it no longer accepted what a previous leader had adopted in 1991, but some other process instead. The position was, Alliance said, that the present process was not based on any recent agreement, but arose from the earlier remarks of a former Secretary of State (Peter Brooke) in the House of Commons in 1991 when he referred to a 3 stranded set of relationships. The basis for the present talks arose from the need to address those relationships. The UUP, according to Alliance, seemed to be suggesting that the participants would be returning to something different after the period of the adjournment. Their attitude seemed to be to turn their attention to something else. Indeed, from the suggestions which the UUP had made the previous day and the comments made earlier at the meeting, Alliance felt that the UUP were endeavouring to construct some other type of talks process. Alliance said that it found that situation to be extremely perturbing because that type of approach would unravel the whole foundation for the present talks. As to its earlier remarks about the relevance of the Framework Document, Alliance said that it genuinely was not entirely clear as to how the Document fitted in to the situation. It believed that the two Governments in referring to the Document merely wanted to state what they were bringing into the process. It was open to the other participants to raise other ideas and suggestions. The UKUP was misleading the situation to suggest that the Framework Documents had some form of stranglehold over the process.

36. Alliance also maintained that it was necessary to decide on the question of how long the talks process itself should last. There was a real danger that the talks themselves could become a

substitute for the outcome of the negotiations. In the South African experience the two main elements were that there had to be a sufficient consensus and also a fixed timescale for a conclusion. It was necessary for the present process to operate within a fixed time-frame also. In that aspect, Alliance said it took up a different position from that adopted by the former Taoiseach, Albert Reynolds, who had said "let's stop the violence and we can talk for years and years". It would only be too easy, Alliance said, for people to go on in talks without reaching any agreement or conclusions. If everyone came back, they should add the commitment to do business in a certain timeframe. If not, then it would be up to the Government to fulfil its responsibility to the people of Northern Ireland. Alliance said that the participants shouldn't always pretend it was somebody else's fault. It was unlikely that everyone would come to a better process.

37. Labour referred to the tradition of Irish wakes and the fact that such occasions were regarded as excuses for feasting and jollification, the underlying reason being that the deceased had gone to a better place. Despite the doleful faces around the table, Labour said it could not agree that the talks process had come to an end. The party paid tribute to the Chairmen and their staff, whose work was very much appreciated and said that no-one had said anything to the contrary. Labour also took the opportunity of wishing the Secretary of State well on his retirement from politics. Labour said Northern Ireland politics never changed. It also said that it shared Alliance's view about the sense of failure. It was extremely difficult for politicians in Northern Ireland to compromise, but inevitably that's what they would have to do. The party paid tribute to the other parties in the parallel group and especially to the PUP and the UDP, in the latter case for helping to keep the loyalist cease-fire intact. It was possible, Labour said, that the talks would resume in June amidst further strife, because the marching season would be underway and the situation at Drumcree could also give rise to problems. It was incumbent on the Governments to have a long hard

look at the process in that respect and take the initiative. If it was the case that politicians could not reach a compromise, the Governments might have to go to the people by way of referendum. Labour said it supported the proposal to adjourn the plenary meeting and return again on 2 June, 1997, but expressed serious reservations that anything would come out of it.

38. The NIWC said that it came into the talks process guilty of being optimistic about its potential, guilty of a belief in the basic good will of their fellow delegates and guilty of a commitment to the politics of consensus. The party also came to the talks conscious of the knife edge on which the future of Northern Ireland was balanced. It was also happy that for the first time at least, the majority of the parties to the conflict (who were also involved in the future of Northern Ireland) could sit around the table together to discuss that future in all seriousness. It remained the belief of the NIWC that all such parties should be around the table to engage each other in dialogue and negotiation, but it was prepared, nevertheless, to press ahead with those parties who were present and to explore how the peace process could be moved forward.

39. The NIWC said that in that respect also, it was guilty of thinking that all those who sat around the table recognised the need for a peace process and that they might be prepared to engage with others in seeking that objective. In reality, the party said that the high points in the past eight months were - agreeing the position of Chairman; agreeing the Rules of Procedure; surviving the bitterly divisive summer of last year; surviving the determined attempts of the UKUP to undermine the talks from day one; surviving the blatant disregard by certain parties of the confidentiality of the talks process; surviving the external attempts by Republicans and the internal attempts by the DUP and UKUP to force the PUP and the UDP out of the talks; and finally, surviving the lack of any serious attempt on behalf of the UKUP to reach an accommodation on item 2 of the opening agenda. The NIWC

said that thus, in total, the high points consisted of two agreements and five survivals. Given this rather low baseline, the party said it would not reiterate the low points of the past eight months.

40. The NIWC then referred to the constant reminders by representatives of certain parties at the talks about its (the NIWC) lack of political experience. However, all it could say in that regard was that if political experience resulted in the type of behaviour and lack of progress that it saw over the past eight months, then perhaps it was just as well that it had been referred to in such terms. If inexperience meant an openness and a commitment to change and dialogue, then the NIWC felt that it was preferable to be so regarded. What had pervaded the talks since last June was a sense of insecurity, political weariness and brinkmanship. The burnout associated with these factors had also reflected on those parties that at least had agreed to engage with the talks process. The NIWC said that there were parties present who seemed to be committed to wrecking the talks - perhaps because those parties saw peace, on any terms except their own, as an unacceptable threat. It was in the interests of those parties to confuse, and misrepresent, and name-call all those who were engaged in the process. Unfortunately, the politics of fear was all too common a currency in Northern Ireland, and it was that type of politics which the NIWC believed had been overly exploited by politicians who should have known better.

41. The NIWC said it wanted to examine the very genuine sense of political insecurity that had dogged the talks from the beginning. At a micro level the re-establishment of the IRA campaign of violence certainly provided valid grounds for such uncertainty about the future. The NIWC said had consistently called for the re-establishment of an IRA cease-fire on the basis of that most basic human rights, the right to life. However, on a macro-level the acceptance of the principle of consent in British and Irish politics by all parties (with the exception of Sinn Fein) had



safeguarded the Union more than ever, locking it into the democracy of Northern Ireland. In essence, what had been seen over the last decade was a gradual process of realisation by virtually all concerned that Irish nationalism would only come to terms with partition when it came to terms with Unionists and their fears. There had been a decisive shift away from a situation where Unionist fears of the implications of a united Ireland were denounced as groundless by a majority of nationalists, to a situation where there was an acceptance that such fears were genuine and had to be acknowledged. In short, there was a watershed in the politics of the island, which was the acceptance by a majority of political parties that there was a democratic legitimacy within Unionism.

42. The pity was, according to the NIWC, that this shift had gone virtually unacknowledged by the vast majority of Unionists. There were those who had a vested interest in denying any such shift - their political energy was derived from demonising the anti-Christ of pan-nationalist machiavellianism. However, there were others who simply seemed to lack the political imagination to grasp the possibilities that the principle of Northern Ireland consent brought with it. If, as the NIWC believed it did, the Irish Government now accepted that an internal settlement in Northern Ireland was more important than Irish unity, the party wondered why the Unionists in Northern Ireland were not seeking to work towards that settlement. Surely such a settlement could offer more than dancing on the head of a pin over the currently unrealistic demand for involuntary decommissioning?

43. The NIWC said that if nationalism had moved from a fundamentalist position to a position of negotiated consent, then the challenge was for Unionism to show the leadership to take this on board. Instead, what had been seen over the last eight months in the talks, was the determination by Unionists to characterise nationalism in terms of republicanism. There had been a will to see a pan-nationalist front at every step of the talks process and

to involve the ghost of Sinn Fein at every stage. It was the belief of the NIWC that if Sinn Fein had been represented in the talks in reality, they would have had less impact than they have had through the fears of the Unionist parties. The period of the talks to date had been misspent in trying to create rules that would minimise the likelihood of Sinn Fein's entry; challenging the chairmanship in case it might be a secret plan to insert Sinn Fein's presence; and making unrealistic demands in terms of decommissioning in order to ensure Sinn Fein's exclusion. The order of business had even been a matter of dispute to ensure that items that militated against Sinn Fein's entry were placed high on the agenda, the NIWC said.

44. The NIWC believed that all public pleas that the talks should make progress irrespective of Sinn Fein's position were hypocritical. The debate to date (and the lack of progress to date) had ensured that Sinn Fein had effectively dominated these Peace Talks. This had resulted in a situation that instead of listening in bilaterals to what nationalist parties were saying, there seemed to be an obsession with the echo of Republican war drums.

45. The NIWC said that in reflecting back over the months of the talks one of the things that had become increasingly clear was that W B Yeats got it wrong when he wrote "...The centre cannot hold, mere anarchy is loosed upon the world". The NIWC maintained that the worm at the core of politics in Northern Ireland was that the so-called centre had too often proved itself to be more extreme than the extremists. It was the historical extremists who had successfully attempted to prevent the outbreak of violence on the streets and in the communities. The violence of the word had continued and even exalted while the violence of the deed had to a large extent been curtailed. At this point the NIWC referred by way of illustration to an incident it had witnessed involving a vicious sectarian attack on a young boy by a gang of youths. When the gang was questioned as to its motives, justification was that

the victim was a "fenian bastard". The mirror image of that language was "protestant scum". The NIWC believed that those who talked division and bitterness and betrayal must eventually take responsibility for their words, just as the many political motivated prisoners and ex-prisoners have had to take responsibility for their deeds. With the future of Northern Ireland still balanced on a knife-edge, the NIWC felt that there was little room for politically immature and irresponsible politicians. This irresponsibility also applied to the lack of political progress, and the willingness of parties to tread water at the talks left a dangerous vacuum within society in Northern Ireland.

46. The NIWC concluded its remarks by referring to the fact that the big battalions in the talks and, indeed, some marginal adjuncts, such as the UKUP, had referred disparagingly to the little parties and the "fringe parties". However, fringe parties at least had come into the process with a commitment that the people of Northern Ireland - both Unionist and Nationalist - wanted a future that moved beyond distrust, bitterness and division. They still had a belief that politics could heal as well as fester; and that the art of politics was the art of the possible.

47. The NIWC said that it was still guilty of optimism about the talks process - if somewhat tempered nevertheless by the experience of the months since June. It believed that it had little option but to work towards a reconvening of the talks, with the very patient and skilful facilitation of the current Chairmen, in a post election atmosphere that would hopefully be more settled and which would examine realistic options for the long-term, rather than fleeting short-term opportunism.

48. With regard to the date for the resumption of the talks, the NIWC said that it, together with some other parties, would be returning from a conference in South Africa in early June.

Accordingly, it would favour reconvening on 3 June, 1997 not 2 June as had originally been proposed.

49. The PUP promised a brief contribution and began by thanking the Chairmen and their team for all their efforts in a difficult situation. The party was not entirely sure that the process had been a total failure. The PUP said its spokesman had come from an area which had borne the brunt of violence over the past 25 years. The party leader had probably walked behind more coffins and visited more prisoners than anyone in Northern Ireland. There was also considerable unemployment and bad housing as well as numerous broken marriages brought about by the economic and financial deprivation caused by the troubles. While the cease-fire was far from perfect, the situation was a lot better than it was. There were those who were quite happy with 31 people dying in one month. It was possible that expectations may have been too high. There was not any quick fix. The PUP said anyone who thought the process would be able to find a solution in six or seven months was a fool.

50. The PUP also said that it did not favour the fixing of a timescale for the talks process or a quick fix approach to the problems. The party was aware that the process was going to be difficult, but it was as committed to the Mitchell Report at the present time as it had been at the beginning. The party's intention was to remove all illegal guns forever. Nevertheless, there were some parties in the negotiations who wanted to see the PUP expelled from the process. The PUP stressed that it had no guns and its representatives had been democratically elected under the 1996 Entry to Negotiations Act. The PUP said that it did not say it would be responsible for decommissioning but it would play its part. It was not as simple a matter as some people believed to call on people to decommission weapons, the party said. The party noted that in the Rules Committee of the Forum, difficult issues had been parked and progress maintained on the less contentious items. The PUP said it was remarkable that at the end of the day that process was able to pick up and resolve those parked issues.

The party asked whether it would not have been nice to have been able to do the same at the talks? Would it not have been better to park decommissioning and move on to discuss other items and get agreement on them to show to the world at large that the process at least was capable of making progress? The biggest danger for Sinn Fein, the PUP said, was agreement among the parties here. The issue of consent might well pose a far bigger threat to Sinn Fein than decommissioning. That was shown by the fact that at the Dublin Forum, Sinn Fein, when faced with the issue of consent, opted out of agreement.

51. As to decommissioning, the PUP wondered, even if PIRA filled the conference room with weapons and bombs for decommissioning, there would still be calls by some parties for more and more items to be surrendered. And, was it not also the situation that PIRA would still be in a position to re-arm itself within days/weeks if the organisation believed that things were going wrong for them? Of course decommissioning was important but it was not the end of difficulties. The attitude of the PUP was that it wanted people to work together and give up weapons on a voluntary basis because of the realisation that there was no longer any need to use them. The PUP said it believed that agreement was achievable. Everyone, however, had to get to the stage where they could demonstrate the capability to agree. An agreement on a devolved administration based on proportional representation was the way forward for the future of Northern Ireland. Full advantage of the potential for foreign investment in Northern Ireland could not be taken until people stopped blaming others. When the talks resume in June, the PUP said it hoped that participants would stop looking over their shoulders and face up to realities. The party was also of the opinion that the sooner the elections were out of the way, the better. For the first time there would be a four year period, uninterrupted by elections, to demonstrate that participants were prepared to take a chance for Northern Ireland. The PUP said however that that would require true political leadership from all

the parties. While the party (the PUP) was prepared to agree to an adjournment to 3 June, 1997, it was concerned about the earlier remarks which referred to the negotiations being 'concluded' or 'suspended'. The PUP said it did not see how one could conclude that the talks were "concluded" since participants would come back to resume. In any case, because of efforts to find peace, 300 people had had Christmas dinner this past year who might otherwise not have been alive.

52. The SDLP began its contribution by saying that central to its approach to seeking political agreement had been the establishment of an inclusive all-party negotiating process based on an agenda which would address relationships within the North, between North and South and between Ireland and Britain. The SDLP said it warmly welcomed, therefore, the announcement by the Irish and British Governments on 28 February last year of their firm intention to secure inclusive negotiations "to address all relevant relationships and issues in an interlocking three-stranded process". It also accepted in full the principles and recommendations contained in the report of the International Body chaired by Senator George Mitchell which was established "to provide an independent assessment of the decommissioning process".

53. Despite serious reservation by the SDLP about the elective process to precede the negotiations, the party agreed to involve itself in that process and to enter the negotiations when they commenced on 10 June last. It was a source of considerable disappointment to the SDLP and to all sections of the community, that when the talks did convene they were not fully inclusive. Canary Wharf was a betrayal of the hopes of the overwhelming majority of people in Ireland. As the party which had worked tirelessly to achieve the 1994 cease-fire, the SDLP said it was determined that its participation in the talks should not mark an end to its efforts to bring about an unequivocal restoration of that cease-fire. It was for that reason and in order to restore

hope that the leader of the SDLP had persisted in his dialogue with his counterpart in Sinn Fein.

54. The SDLP said that when the present talks commenced it became clear that progress, while not exclusively a responsibility of the SDLP and the UUP, was dependent to a not insignificant degree on both those parties reaching an agreement which could be more widely endorsed. Yet, instead of a willingness to create a basis for agreement, what the party witnessed was a process of procrastination by the main unionist parties over a range of essentially procedural matters. At the very outset of the process, the SDLP said it had defended the role and the persons invited by both governments to chair the talks against strong opposition from unionist parties. It regarded the participation of Senator Mitchell, of Prime Minister Holkeri and of General de Chastelain as being one of the most positive features of the talks, and it wished to place on record its indebtedness and appreciation to them and their staff for their unfailing courtesy and assistance.

55. The SDLP maintained that throughout the summer months of last year the unnecessarily lengthy debate over rules of procedure was primarily to accommodate the UUP. Likewise, the debates on the agenda for the opening plenary itself and for the comprehensive agenda were only resolved after protracted and obstructive negotiations occasioned by the UUP and other unionist parties. The SDLP said that its willingness to take account of and, where possible, to accommodate the UUP was evident in the decisions on each of these points. It was an expression of the desire by the SDLP to achieve movement into substantial talks on all aspects of the political relationships that lay at the heart of the agenda. This willingness was also clearly demonstrated in the long discussions on and around the difficult issue of decommissioning, the party said. It had also been acknowledged by many of the other parties and, in particular, the Alliance Party which participated in the key meetings with the SDLP and UUP before Christmas, and

since. As further evidence of its constructive approach in the multi-party process, the SDLP said it welcomed the contribution of four smaller parties and it had given favourable consideration to a number of their joint recommendations.

56. The SDLP said that further evidence of the UUP's procrastination and attempts to exercise undue and behind-the-scenes pressure on these negotiations had been underlined in the leaked memorandum quoted in a Sunday Observer report last weekend. The request by the leader of the UUP for a 'communication cord to halt the talks, if required' clearly suggested bad faith, according to the SDLP. The apparent absence of any opposition by the British Government team to that proposal also raised serious questions which required immediate clarification.

57. The SDLP said it had not, as the UUP had alleged, attempted to water down the requirements for decommissioning. Following the argument of the International Body itself, the SDLP said it believed that "there is a clear commitment on the part of those in possession of ... arms to work constructively to achieve full and verifiable decommissioning as part of all-party negotiations; but that commitment does not include decommissioning prior to such negotiations".

58. In the SDLP's submission on decommissioning to the talks, it said it detailed an approach consistent with this argument. It did so because, as it stated in that submission, it believed that "decommissioning, in the sense it has come to be understood, is ... primarily a political objective". Secondly, it was a voluntary exercise which required the co-operation of those in possession of arms, and so should not be confused with the work of the security forces. As such decommissioning could not be imposed on the paramilitaries. Thirdly, the SDLP said it stressed that decommissioning would only happen alongside the development of political confidence and trust in the context of negotiations. This process, the party said, must involve a commitment for the



parties to engage seriously with each other on the fundamental issues arising out of the three-stranded relationships which lie at the heart of the political crisis in Northern Ireland. Fourthly, the SDLP recognised that decommissioning would have to be on a mutual basis as between both sets of paramilitaries. This could only be made possible in a fully inclusive negotiating process.

59. Moving on, the SDLP said that not only had the UUP rejected the International Body's approach to decommissioning, it had also attempted to have more stringent entry requirements tests imposed on Sinn Fein than those which the two governments laid down in the demand for 'an unequivocal restoration of the 1994 cease-fire'. The SDLP said that in effect, for the UUP, decommissioning had become a tactical issue to avoid rather than to engage in negotiations.

60. The SDLP maintained that the UUP's intransigence was mirrored by that of Sinn Fein and the Provisional Movement generally. Sinn Fein leaders claimed that democratic, inclusive negotiations were the only means of securing a resolution and that a peaceful environment was essential for such negotiations to succeed. Since 10 June last year participation in democratic and inclusive negotiations was available to Sinn Fein. The agenda was such as to allow all parties to raise any matter of concern, including constitutional matters. Nonetheless, the IRA had not lifted its exclusion order on Sinn Fein's participation. The latter's refusal to call upon the IRA to end its futile and counter-productive violence, and so create the circumstances that would allow it to participate, was contrary even to their own analysis of the present situation, the SDLP said.

61. While the SDLP wished to see the talks becoming as inclusive as possible, and while the party would continue working towards that goal for as long as it seemed worthwhile, above all it wished that the talks would become realistic and meaningful. Ultimately the SDLP wanted them to pave the way to the establishment of such

new institutions as would effectively express the key relationships affecting the people it represented. This would entail totally new political and constitutional arrangements based on respect for, and accommodation of, both the nationalist and unionist traditions.

62. The SDLP said that had the opportunity afforded by the talks over the past nine months been grasped, significant progress would have been made towards that goal by now. In present circumstances with two elections looming, it was clear that some key parties would not countenance any possible agreement at this stage. The SDLP recognised the need for a break at this time, and it accepted the recommendation that the talks break off now, to return in June following those elections. The SDLP believed that a defining period in history had arrived, one in which as wide a representation of the people and governments of Ireland and Britain as it had every been possible to assemble, were together to address the problems of Northern Ireland. The SDLP said that the troubles in the community should be a spur to the most reluctant parties present to do what they had been mandated to do and reach that settlement that the people needed so desperately. It was not possible to return to where the process started. It needed a dynamic to succeed and the SDLP said it was willing to use every ounce of its political energy to ensure that this happened. Its investment alone, however, would not be enough. Let's have the election, the SDLP said, and consider the arguments and return determined to move forward together towards an agreed society. If the parties failed, the SDLP said that history would judge them very harshly indeed.

63. The UDP said it too wished to make a brief contribution to the debate. It felt that it must be understood that the negotiations had resulted in some progress being made, and the question was how to advance further into substantial negotiations. The UDP said it had engaged in the election process on the basis of a manifesto which stated that everyone should acknowledge their responsibility to achieve a negotiated settlement through a democratic resolution

of the conflict. It was a shame that the wishes of the electors had not been represented in the political negotiations that had taken place. Accordingly, when the process resumed after the elections, there would have to be a re-establishment of commitment by the parties. The UDP said its objectives were clear and intact, and the party remained focused in its determination to find a realistic accommodation acceptable to all parties. It would be necessary to revitalise all the parties' efforts to move the process forward with the aim of resolving political differences through dialogue.

64. The UKUP said it wished to record its thanks to the Chairmen and all the staff involved in administration and the staff of the conference centre for the assistance given to the party. However, a black mark would have to be given for the announcement which had highlighted the fact that delegates had received tax free payments in respect of their attendance at the talks. That would only facilitate those people who were opposed to the process.

65. As to the process itself, the UKUP referred to the comments made by the British Prime Minister at the start of the talks on 10 June, 1996 when he identified the possible reasons why the process would fail. One such reason was, as the Prime Minister had said, "negotiations, inhibited by violence or the threat of violence can't be free or fair". The UKUP said that the process could have proceeded to discuss the future of Northern Ireland had the parties not been frustrated in their efforts by the attempts of the Irish Government and the SDLP to keep the door open for the entry of Sinn Fein into the negotiations. That was why the process had failed, the party said. When the new Government was put in place, it would be presiding over new talks and, in that respect, it should go back to the drawing board and ensure that there would be no interference by the Dublin Government which, the majority of unionists believed, had no role in the affairs of Northern Ireland.

66. The DUP referred to the fact that statements had been made which merited a reply. The DUP said that it did not disparage the constituency it represented; it did not regard elections as something to get out of the way. The DUP said it would welcome any plebiscite. The strangest phenomenon was to hear small parties say that they knew exactly what was in the minds of the majority of the people. In fact the vast majority of voters were entirely opposed to what they said. The DUP said such people should catch themselves on. Only one poll mattered and that was the one obtained through the ballot box. During the first talks, the DUP said it had put forward the proposal that everything emerging from the negotiations had to be put to the people of Northern Ireland at the end of the day. If agreement was cobbled together here, the final condition would be worse. The people of Northern Ireland could not be bluffed. The DUP said that there had been a series of conspiracies and a series of leaders who changed their tune. Political leaders had reneged on promises they had made in public and had taken positions they had said they would never take. They had found themselves as chiefs without Indians and ultimately rejected by the electorate. The DUP said it did not disparage elections. Politicians should stick by their mandate. The DUP said that it declared at election time what precisely it was going to do and then carried out its promises. It had to be remembered, the DUP said, that it was the electorate which controlled the politicians, not the other way around. The party then referred to the earlier remarks by the NIWC on the use of derogatory and inflammatory language. The DUP said it, too, had been the subject of personalised invective at high political levels of the Tory party. At that point the NIWC said it wished to ask a question, but the DUP refused to yield. It continued on and instanced a particular case of personal family abuse against its leader at the hands of a school party. The DUP said it never used such abusive language.

67. Moving on, the DUP referred to the remarks by the SDLP, in particular regarding the subject of decommissioning. The DUP said

that the SDLP had stipulated in 1992 that there should be no guns on the table, under the table or outside the door; it now appeared that that view had changed. The DUP also referred to the statement by the Tanaiste, Mr Spring, in December, 1993 when he referred to the need for a permanent cessation of violence and the handing over of weapons and the rejection of any form tactical cessation for the purpose of seeing what the political process offered. Some six months later, Mr Spring had referred to verification, permanence and evidence being produced. The DUP said that it was just repeating those very points in its own proposals. It also had to be remembered that both Prime Ministers had stated that the first thing to be addressed was decommissioning. Now the DUP were being castigated for remaining steadfast to that agenda. The party stressed that decommissioning had to be faced up to. Yet the two Governments and the SDLP had kept the parties from voting on proposals which were actually on the table. There was a sufficient number of parties present who were prepared to say "yes, let's have a vote". The DUP stressed that to stop breaking the law was not a political objective but a legal and moral imperative. Those who had illegal weapons should be made to keep to the law. Baroness Denton had admitted in Parliament that the decommissioning legislation would allow evidence of the shooting of Lance Bombardier Stephen Restorick to be destroyed. The DUP maintained that the talks were about the proper surrender of illegal weaponry.

68. The DUP then turned to the question of IRA activity during the cease-fire and referred to the punishment beatings. The SDLP had said that the IRA were serious about peace but at the time of the visit to Northern Ireland by President Clinton, they were planning the bombing of Canary Wharf, So, despite all the parading of peace, there was a desire behind it all to go back to evil and murder, the DUP said, Insofar as RTE were concerned, it was to be congratulated for its programme the previous night for showing up the role of Sinn Fein in relation to the parades question. Insofar as the problem at Dunloy was concerned, the DUP said the people had

brokered a deal on 26 November, 1996 to allow a march with the right of peaceful protest. However, IRA gunmen from outside the village showed up and said that there would be no Orange parade and a crowd developed too big to be controlled. The DUP said that Government had a responsibility to ensure that people could go to their place of worship in Dunloy. The desecration of churches and graves would not stop people from insisting on their rights. The DUP stated that the Irish Government had insisted that the primacy of traditional parades should be taken out of the Public Order Order. That flowed from the Anglo Irish Agreement. Perhaps there would be apologies to Orangemen now that it was known that the IRA was behind opposition to marches. The DUP said that the Tanaiste, Mr Spring, could wine and dine the people from the Ormeau Road in the company of IRA members leading residents' associations, but that only exacerbated the situation. The DUP said it hoped that the British Government would take a hard look at the realities of the situation in Northern Ireland. Quick fixes were not what was required. The time framework was important to the IRA and the DUP agreed with the views of the PUP that time was not of the essence. The party said it wished to be associated with the comments expressed by others about the Chairmen and their courtesy and handling of the process. But the party's fundamental objection to the Chairman remained. With regard to the South African experience, the DUP said it was the case that it had charge of its own affairs. The people of Ulster must be in charge of the talks themselves so that they could make all running. They would not be part of a united Ireland and they simply would not have it. The nationalist people had better realise that. The DUP said that they would not breed the protestant people out. The DUP said that the whole thing was a tragedy because of the attitude of the Southern Government with its claim of jurisdiction over Northern Ireland. Look at the record of this illegal, immoral claim: the Irish Supreme Court had said it was a constitutional imperative and the Tanaiste, Mr Spring, was dedicated to achieving that objective. As far as a resumption date was concerned, the DUP said it did not care whether it was the 2nd, 3rd or 15th of June, or whatever.

69. The UKUP said it had three points to make with regard to the contribution made by the NIWC. First of all, in relation to the assault on the 13 year old boy, the UKUP stressed that it deplored such conduct. Secondly, with regard to the NIWC's great relationship with the loyalist parties, the UKUP wondered whether the NIWC would wish to comment on the fact that during the cease-fire period, loyalist punishment beatings increased by 400%. In 1993 the figure was 30; in the eleven months to November 1995, 118 such beatings took place. It was necessary, accordingly, to look in a measured way at what was going on. The cease-fire was only a partial one. As the DUP had already noted, the UKUP said, the revelations on RTE Television showed the true extent of Sinn Fein's influence on parades, so much so that they could be regarded as a deliberate second front opened up by Sinn Fein during the period of an incomplete cease-fire. The UKUP then referred to the harrowing scenes of the SDLP saying at Drumcree, "this is terrible", when Sinn Fein had been working for three years to engineer the precise situation which had occurred. It was time, the UKUP said, for the SDLP and the Tanaiste, Mr Spring, to make an open and direct condemnation of this behaviour.

70. Thirdly, the UKUP said (as it had said before) that the peace process had created not peace, but deeper and more bitter divisions than had been experienced since 1969. The two communities in Northern Ireland were now at a level of antipathy and opposition never before experienced. What kind of peace process permitted the two communities to be so ferociously opposed to one another? This was the rationale behind the earlier statement by the UKUP that if the present situation was the product of peace, the opposite should be feared. The UKUP said that the idea that the loyalist cease-fire was responsible for saving 300 lives was pure sophistry. There was no evidence whatsoever to support that reasoning. Furthermore, the UKUP asked whether people were to be lauded just because they refrained from doing what no decent person would do. Surely this was a case of serial killers being described as the

unsung heroes of the peace process. It was time to get a grip on reality, the UKUP said.

71. The PUP said it was sure that the DUP would accept that during its (the PUP) address it spoke continuously about the need for the consent of the people in Northern Ireland. The PUP said that it was a matter of record that it had called for a referendum long before these talks started. Its point about the election was that it just wanted to see the election out of the way so that the parties could return to the negotiations to make progress. With regard to the comments of the UKUP, the PUP said that the parties would be aware that the UKUP had earlier expressed a preference for war over peace. This was immediately denied by the UKUP. The PUP continued and said its attitude was - if this is peace, give us more of it and let us build on it. The party then explained that its reference to approximately 300 lives being saved was based on the statistical average. The PUP said it wondered whether the UKUP implied that the PUP was complicit in the terrible activities listed by the UKUP in its earlier response to the NIWC contribution. The UKUP replied affirmatively and added that the media had referred to both the PUP and the UDP as having the ear of the loyalist paramilitaries in their role as strategists and advisers. It was also the case the UKUP said that, like the IRA, where many of those who were prominent in political leadership had criminal records, the loyalist parties were no different. The leader of the PUP had a record for bomb making, though he may have had a Pauline conversion, the UKUP said. The UKUP also noted that Sinn Fein/IRA were condemned for being two wings of the same bird or two sides of the same coin and the Government imposed conditions on Sinn Fein accordingly. The UKUP said it made no distinction between the PUP/UDP in that respect. The PUP used the same language as Sinn Fein, for example, that it had no guns to decommission. Sinn Fein, Martin McGuinness and Gerry Adams used this reasoning to justify their inclusion in the talks process on the basis of their mandate. In this respect they were no worse than the PUP, the UKUP said.



72. The PUP said it had not obtained an answer from the UKUP on the point as to whether it believed that the PUP was complicit in the list of crimes which the UKUP had referred to. The UKUP said that in the public mind the PUP was associated with the UVF, and whether the PUP was complicit or not was a matter for its own conscience. In reply the PUP said that the UKUP wanted the parties to believe that it was complicit, but its (UKUP) reply showed the true position. At that point, the Chairman intervened to say that his policy in the recent months had been to encourage the widest range of debate, but that he felt at this time that the discussion had reached the point that it was not making progress.

73. The NIWC took up the question of name calling as referred to by the DUP, and remarked that it was the DUP who had commented on the saying about not being able to stand the heat of the kitchen. The NIWC's point was that it was not referring to name calling, but beatings and assaults and that the violence of the word can become the violence of the deed. With regard to the contribution by the UKUP, the NIWC said that the two loyalist parties were not "so called" loyalist parties. They were parties to the talks and had disassociated themselves from violence. They were not complicit in acts of violence.

74. The SDLP, which had called for recognition, said that the Chairman's intervention had anticipated the point it wished to raise about parties making irrelevant comments. Alliance said that on a positive note it wished to record the opening of the Carrickfergus Hotel as an example of foreign inward investment. If progress was to be made in this area, the investors had to be supported by responsible leadership, and it was to be hoped that the voters would support such leadership in the forthcoming elections.

75. The Chairman said that he wished to pay tribute to the Secretary of State who had indicated his intention of retiring from

public life. The Secretary of State thanked the Chairman for his comments and said he wished to offer some words of reflection, hope and gratitude. There had been some achievements. The Rules of Procedure had been agreed and in a shorter time than similar rules took to be adopted in 1991/1992. That could be classed as a formal achievement. On the informal side, the parties had learned about each other's views, often on issues of substance that would have to be confronted in the future, and they had found new methods of working. The Secretary of State said he was disappointed that there had been no progress on the decommissioning issue, but it was not possible to force people to decommission weapons. He understood and shared the disappointment that it had not been possible to show greater results from the opportunity which the talks had provided. However, it wasn't possible to pressurise people into the process. Gaps could be bridged though, and if bridging materials were swept away, then stronger materials had to be designed and installed. It was also the case that negotiations should not be held under the threat of violence. The only way forward was to follow the approach in the Mitchell Report that some decommissioning should take place during the negotiations. Although there was not a sufficient basis of agreement to reach a successful determination on the issue of decommissioning, the Secretary of State said in his judgement it remained possible that an agreement could be reached after the election period. The Secretary of State maintained that the current process was fundamentally the right one; saying that it had, he believed, all the features necessary for a settlement. It was capable of bringing together both Governments and all the main political parties in Northern Ireland that were committed to pursuing their objectives by democratic and non-violent means. It was also capable of addressing all the issues that needed to be resolved if there was to be a comprehensive political settlement which could underpin a lasting peace. The process was a comprehensive one in that everything could be discussed; and it still had great promise.

76. The Secretary of State continued and said that there were misconceptions about the process which were being advanced, even by parties in the talks. It had been suggested that the talks by their nature put the Union in danger. That was quite simply wrong. Another misconception was that the process had been designed to appease Sinn Fein. That too was wrong, the Secretary of State said. He made no apology for favouring an inclusive process; he wanted to see the 10th chair filled. It represented the best chance of securing a comprehensive, durable and widely acceptable political settlement. The position of the British Government was clear. The process was open to Sinn Fein on democratic terms that were clearly expressed, but there was no question of appeasement. It was open to the parties to proceed without Sinn Fein if that party choose to remain outside; but the party could come into the talks if it behaved democratically. The exclusion order on Sinn Fein should be lifted by themselves; they were the ones that imposed it on themselves, the Secretary of State said.

77. In conclusion, the Secretary of State said that much hard work had been done in the negotiations and there were many people to thank for the progress that had been made and for laying the basis for more in the future. The Secretary of State referred to the excellence of the efforts of the Chairmen, which was widely appreciated and for which they had the warm gratitude of the parties. That gratitude also extended to the Chairmen's staff and to their Governments for agreeing to their serving in a unique and arduous capacity. The Secretary of State also expressed his thanks on behalf of everyone to the staff in the Talks Administration Unit who so competently organised the facilities.

78. On behalf of the Irish Government, the Tanaiste, Mr Spring said there was quite simply no more important task on any of the agendas than the one facing the parties at the table. There was none with greater implications for all the parties. Success would be a watershed in history. It would mean that the parties would have achieved what he believed must be the goal and the sustaining

hope of every serious democratic politician at the talks, namely to change the future decisively for the better as a result of their collective efforts. If the parties failed, they could be sure of one thing: failure in this enterprise would never be merely neutral. The situation would be left worse than they found it, because they would have added to the sense of despair that the problems were beyond the capacity of rational democratic politicians to resolve. The Tanaiste stressed that he did not for one moment believe this to be the case. The parties' efforts in the talks did have the potential to transform the situation, if only they mobilised the political will to do so. It was premature, as of yet, to talk either of the success or failure of the talks. He believed realistically, however, that the balance would inevitably begin to tilt, and the patterns begin to set in one direction or the other before very much longer, and certainly before the end of 1997.

79. Whatever the outcome, the Tanaiste said, one thing was already clear: everything that skilled and scrupulously impartial chairmanship could have contributed to the success of the process had been most generously at the disposal of the parties right from the outset. The parties were greatly indebted to the three Chairmen and also to their most able and professional staff, and to the Governments of the United States, Canada and Finland for having facilitated their participation. On behalf of the Irish Government, the Tanaiste wanted to place on record its heartfelt thanks for these dedicated efforts. It greatly appreciated the invaluable lessons of courtesy, forbearance and resilience, exemplified by Chairmen and staff alike, who so disinterestedly embodied the international support for the process. It was too soon to pronounce any definitive verdict on the prospects. It was timely however to take stock of where the parties were, and to draw up an interim balance-sheet.

80. On the credit side, the Tanaiste said that a workable process was in place. It was sufficiently comprehensive in scope to

embrace all concerns. Detailed rules of procedure and an agenda for the opening plenary had been agreed. The parties had obtained a clearer understanding of each other's views and perspectives. No-one could have expected the negotiations to be easy, or the accumulated problems and distrust of centuries to be speedily resolved. The mere fact that the parties were still all sitting round the same table was not a negligible achievement. Everything that was needed was now to hand, if only they could summon the political will to make proper use of the instruments available.

81. On the debit side, the Tanaiste said he did not believe anyone could have anticipated that after so many months the process would still be stuck in the opening plenary without even touching on the issue that was central both to the process, and to the parties' vocation as democratic politicians, namely, forging a new political agreement and shaping new arrangements and institutions to put in place of strife. That failure was doing damage to the credibility of the process of democratic negotiations itself. That could not be a matter of indifference to anyone around the table. The parties all knew only too well who the winners and losers from it would be.

82. If the parties drew the lessons of the process so far, the Tanaiste said he believed the disappointing lack of progress related to three sets of difficulties.

83. The first were the uncertainties engendered by the collapse of the IRA cease-fire. Some parties had hovered uncertainly between using the existing format to its full potential and looking forward with apprehension to the possibility of a fully inclusive process. The process thus far had sadly combined the disadvantages of both approaches and offered the advantages of neither. The position of the Irish Government on this issue had been clear and consistent. Violence was utterly wrong. It must be rigorously opposed and condemned and could be allowed no say in the negotiating process.

84. The Tanaiste emphasised that both he and the Taoiseach, and all of the party leaders in Dail Eireann, had repeatedly denounced all acts of violence, and had spelled out to the republican movement the utter abhorrence with which they, and the vast majority of the Irish people, regarded all IRA atrocities. They had gone on to make clear that such acts were futile, counter-productive, and quite at odds with the logic of their stated position. Together with the British Government the Irish Government had set out clear and demanding rules in respect of participation in the talks. The issue was not whether the Government would prefer the talks to be inclusive. It would be perverse for any democrat to argue that it was desirable in itself for any significant electoral constituency to be excluded. The debate must rather be about whether the conditions the Governments had laid out for participation were being met. They were manifestly not being met at the moment. The absence of Sinn Fein showed that the standards the Governments set were challenging and exacting. In those circumstances, the Tanaiste said, he wished the Governments could have simply registered and deplored the absence of Sinn Fein, and got on with the business. That would have made it clear that absence exerted no veto on progress. The Governments saw no reason on the other hand to foreclose the possibility of their participation in the event of any genuine change of heart in the future.

85. The Tanaiste said that instead of that sensible and pragmatic approach, which he believed could have made valuable progress even without Sinn Fein, the process had been stalled ironically on the one single issue of the entire agenda where Sinn Fein involvement was essential for progress, namely decommissioning. That had sent an unfortunate and confusing signal. The Tanaiste then repeated his earlier remarks on the subject of decommissioning as already outlined in paragraph 14 of this record.

86. The third factor inhibiting progress according to the Tanaiste which was doing so ever more patently, was the imminence of the

elections whose shadow had lain across the work for some time. Unlike the other difficulties, this was one which time itself would remedy. It remained only for the parties to make sensible allowance for it.

87. The Tanaiste said that the Irish Government remained fully committed to the present negotiations based on the principle of consent as the only viable means of achieving a lasting settlement. It looked forward, as the Chairman did in his opening statement, to resuming work after the elections, hopefully in an atmosphere of renewed vigour and commitment. Sight should not be lost of the inestimable prize of an honourable settlement which would accommodate the aspirations and identities of both communities and traditions, and would provide for new patterns of productive partnership in Northern Ireland, within Ireland and between Britain and Ireland. Part of such an agreement would be constitutional change which would definitively enshrine the principle of consent, in the fullest sense, as the basis for Northern Ireland's status. The Tanaiste said he hoped that when the parties next met formally in June their deliberations would be informed by a sense of that potential, and that their ambitions and determination would be equal to the task ahead.

88. Finally, the Tanaiste said that he would like to place on the record his very best wishes to the Secretary of State on his impending retirement from the House of Commons. The years of joint stewardship had been full and eventful. There had been moments of great sadness and tragedy, and times of hope and optimism. But the relationship between the two Governments had endured all strains and tensions; indeed it had strengthened over the past five years, and had been placed on a new footing through the Joint Declaration and the common endeavour that had flowed from it. Sir Patrick's distinguished personal attributes and political skills had been brought to bear on a significant period in Irish history, and the Tanaiste wished him and Lady Jean all the best in what he hoped would be a long and happy retirement.

89. The DUP said that the statement by the Tanaiste proved conclusively what unionists believed to be the case. That was joint stewardship over the affairs of Northern Ireland. The DUP stressed that The Tanaiste was not a steward of anything in Northern Ireland and he would never be so. The party continued and said that just because the Irish State had an immoral and criminal constitutional claim, there was no power in that. The DUP then spoke about the meeting between the Tanaiste and IRA leadership from community groups. At that point the Tanaiste clarified what was meant by joint stewardship; he said it arose in the context of the Anglo-Irish relations with the Secretary of State. The DUP responded by saying that the Tanaiste had made no mention about the running sore of Articles 2/3 of the Irish Constitution and asked had the Tanaiste nothing to say to the people of Northern Ireland on that issue. 90. At that point (15.44) the Chairman adjourned the meeting to 3 June, 1997 at noon.

**Independent Chairmen Notetakers  
21 March 1997**

OIC/PS65