

**SUMMARY RECORD OF OPENING PLENARY SESSION -
MONDAY 15 SEPTEMBER 1997 (14.11)**

Those present:

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

1. The Chairman convened the meeting at 14.11 and stated that the first order of business was the approval of previous minutes from three plenary sessions; 23 July, 28 July and 9 September which had previously been circulated. The Chairman asked whether there were any objections to the minutes being approved. The NIWC stated that it had not yet received minutes for 9 September and therefore was not in a position to approve that record. The Chairman then sought approval of the 23 and 28 July minutes, stating that the 9 September record would be taken at the next plenary session. The meeting agreed the records of 23 and 28 July as circulated.

2. The Chairman moved on, pointing out that participants had now received a copy of the DUP's letter of 12 September to him, outlining, under rule 29 of the rules of procedure, a formal representation for the removal of Sinn Féin following the publication of the IRA interview in An Phoblacht the previous day. The Chairman confirmed that rule 29 did indeed cover this eventuality and said he hoped that all participants had had an opportunity to look at its contents. The Chairman continued, quoting the DUP letter which, following the paragraph containing rule 29, went on to state that, in the party's view, any formal representation could be submitted by "a participant either past or present". The Chairman said that this was clearly the standing on which the DUP had presented its submission and before making a ruling on whether or not this standing was appropriate, he wished

to follow usual practice in soliciting the views of the other participants. He therefore wished to invite each participant to provide its view on this threshold question either straightaway orally, or later, orally in bilaterals or in writing, whichever was appropriate, so long as this exercise was completed promptly.

3. Alliance made reference to paragraph 29 of the rules and noted that this fell under the sub heading "Conduct of the Proceedings". Alliance said that the text of the rules from rule 16 onwards clearly referred only to the word "participants". The word was quoted in rule 16 and each rule built on and was subsequent to the previous paragraphs. There was no mention of past or previous "participants". Furthermore rule 27 read "any written submissions which may be received from other groups or individuals will have no status". Alliance said that the DUP was not currently a participant in the process. The DUP document therefore fell into the category of "other groups or individuals" under rule 27 and had no status. The party added that the DUP had voluntarily withdrawn, though if it subsequently wished to rejoin, Alliance was in no doubt this could be accommodated, in principle, pending other matters having to be resolved. The current position was, however, that the DUP was not participating and this therefore raised a further issue concerning the availability of minutes to those outside the process. Alliance said that minutes should not be available to parties in this category and wished to seek reassurance on this matter.

4. Alliance, in reinforcing the point, said there could be no guarantee that those outside the process, gaining records of the business, would not use these at some point to discredit or embarrass the talks. Alliance again emphasised that the DUP submission, in its view, had no status. Furthermore everyone around the table who had been present when the loyalist parties were cross examined knew that the delegation, who raised the original formal representation against them, had to be present at a Plenary to carry out a cross examination. On the present position,

Alliance said it seemed as though the DUP had to rejoin the process to demonstrate its seriousness about its submission. Alliance again sought reassurance on the issue of the availability of minutes.

5. The Chairman said that the latter question had not been previously raised and he therefore needed to inquire further about this. As to the other issues raised, the Chairman, referring to Alliance's remarks about the DUP rejoining or returning to the process in order to make a formal submission, asked how much rejoining and returning was necessary to give effect to this? Was there an identifiable time lapse or a commitment to stay for a specified period? The Chairman said that this issue seemed to pose questions about a whole new set of requirements to establish the eligibility of participants who had taken up a position such as the DUP had now adopted.

6. Alliance acknowledged the Chairman's remarks that the minutes issue had not been raised before. The party said, however, that it recalled that during the last process, the DUP leader had been involved in intricate arrangements for his plane trips to Dublin for a meeting, but at the last minute he decided not to go. Alliance said that others in attendance had decided that the DUP shouldn't automatically get the minutes of that meeting but would have to ask for them, even though the party was still part of that particular process. The party said the Rules of Procedure were not clear on the issue. What was required was a ruling from the Chairman or from the Plenary. Alliance said this clarification was needed. Experience shows there are numerous niggling ways to create problems. Alliance said it wasn't too worried about the details of clarification but just wanted clarity. The party said the present position of some parties outside the process attempting to continue to use the rules of the process for their own political ends, was simply not fair on those inside the process. Such political hokey-cokey had to be stopped.

7. The SDLP agreed with Alliance's comments and in particular its interpretation of rule 27. The party said it didn't believe any more time should be wasted on the issue. The DUP was not a participant and its submission had therefore no status. The Chairman said that while both Alliance and SDLP had articulated their views clearly and firmly in the negative, he did not wish to foreclose on any other comments from participants.

8. The NIWC said it mainly agreed with what had been said on the issue so far. The party's position was firmly based on the wording of rule 29 and in particular the reference to a "formal representation" being made. The resolution of the DUP submission and its standing was up to the Chairman, but it was clear to the NIWC that a formal representation had to mean that those making the representation should be present at a Plenary to give respect to the proceedings and more importantly to have an informed debate on the matter. The NIWC said it couldn't see how this could take place if the DUP was not present and it didn't therefore view its letter as a formal representation. The NIWC said it would be very reluctant to have any discussion on the matter when the originating party was not present.

9. The SDLP said one shouldn't allow those who do not deem themselves participants to determine the agenda of the process. The party said it supported Alliance's earlier comments regarding seeking clarification of certain points. The SDLP asked whether it was correct, in any process, for a non participant to demand the expulsion of a participant, irrespective of reason. This fundamental point should, in the SDLP's view, determine not just the resolution of the current matter but what happened further down the line.

10. Sinn Féin said it agreed with all comments this far and hoped this position might be maintained for later discussions in the Plenary. The British Government said it wished to raise one point, acknowledging that it would be guided on the matter by the views of

the participants and the Chairmen. The British Government said it was unclear what the DUP's position is legally. Legally was it in or out? In the interim, the British Government proposed that if the Chairman initially noted the DUP submission, then the DUP, if it rejoined the process, could come in and resurrect the matter at a later date if it chose to do so. The British Government said this might be a way forward if all participants went along with the proposal. The Irish Government said it believed natural justice would seem to indicate that if a protest was to be made against a participant, then that protester needed to be present in the process. The Irish Government said the views of the participants present should be taken into account; the DUP letter should be noted and the process should move on to other business.

11. The Chairman said he wished to leave it open to others to communicate their views as promptly as possible. Moving on the Chairman said he now wished to go round the room and seek the views of the participants on the current status of the process and where it went from here.

12. The British Government said it wished to clear the air in relation to the previous weeks interview by the IRA which raised worrying questions. It stated that Sinn Féin had to answer those worries which now existed if there was to be a hope of moving the process forward on the basis of trust and confidence. The British Government said the Mitchell Principles were the foundation stone of the negotiations. They were the guarantee that it was democracy and non-violence which underpinned the negotiations, not force or the threat of force. The Principles committed each party to advance its case in the negotiations by exclusively peaceful means. No party could appeal, directly or indirectly, to the threat of force by some organisation outside the negotiations in order to further their arguments. As the Prime Minister had said on Saturday:

"No-one should be naive about the IRA and Sinn Féin. The two organisations were inextricably linked. One could not credibly claim to be acting independently of the other.

"The British Government would be holding them firmly to these commitments. If they were dishonoured, for example, by any return to violence by the IRA or front organisations for it, let there be no doubt that Sinn Féin would not be able to stay in the negotiations."

13. The British Government said that Sinn Féin and all the other parties had to understand that the Mitchell Principles were not words to be uttered one day and glossed the next. They were the foundation stone for the negotiations. Parties had to act, in what they both said and did throughout the negotiations and afterwards, in accordance with those Principles. As Senator Mitchell had said to Sinn Féin in asking them to make their commitment:

"To reach an agreed political settlement and to take the gun out of Irish politics, there must be commitment and adherence to the fundamental principles of democracy and non-violence."

14. The British Government said it had no illusions about the relationship between Sinn Féin and the IRA. They were inextricably linked. They were two sides of the same coin. It continued saying that if the IRA, or for that matter any of its front organisations, made threats or used violence to influence the negotiations over the coming months, no-one would believe Mr Adams and Mr McGuinness if they claimed it had nothing to do with them. Trust and confidence were the only basis for the negotiations. The British Government said it knew that there were real, deep and bitter divisions among the people it wanted to see around the table. Those divisions would not be overcome overnight. But it looked to each party to play its part in building confidence, not undermining it. The British Government said it therefore wished to ask Sinn Féin the following question. How could Sinn Féin expect people to

have confidence in its commitment to the Mitchell Principles when the IRA, with whom Sinn Féin was inextricably linked, had said they "would have problems with" sections of those Principles?

15. The Chairman reminded Sinn Féin of the current practice whereby questions put in Plenary session to a participant could either be responded to immediately, or at a later date or not at all. The Chairman asked Sinn Féin whether it wished to respond. The Irish Government intervened before Sinn Féin's response and proposed that, rather than the potential for questions to Sinn Féin being repeated by each participant and answers consequently being given, might it not be better to hear each of the participants comments first with Sinn Féin responding after these? Sinn Féin asked whether the issue of the An Phoblacht interview was the only business before the Plenary today. The party said it did wish to respond specifically to the British Government's question and then, as suggested by the Irish Government, it would listen to the views of the other participants.

16. The Chairman stated that it was his intention to handle other business before the Plenary concluded for the day. It was, however, unclear as to the status of that business at present. As a means of continuing, therefore, the Chairman proposed that Sinn Féin respond to the British Government's question and then hold any further responses until after the other participants had aired their comments on the matter.

17. Sinn Féin said it was not inextricably linked to the IRA. The IRA was not Sinn Féin and Sinn Féin was not the IRA. The party said it was present at the talks on the strength of its electoral mandate which made it the third largest party in the process. Sinn Féin said it had been asked how it should build confidence by the British Government. This could only be done through dialogue and negotiation. Sinn Féin said it did not believe it was helpful that the British Government had been talking, in earlier press comment, about confronting the party at the plenary today on this

issue. There was no room for argument and confrontation when what was really needed was the generation of confidence in the process and among the participants. Sinn Féin said it recalled asking the British Government about whether it had affirmed the Mitchell Principles. The British Government had replied yes and everybody else in the process had also signed up to the Principles - yet the loyalist paramilitaries had murdered Michael McGoldrick, Bernadette Martin, John Slane and James Morgan, injured many more and one participant in the talks had even been convicted of gun running. Even more recently Sinn Féin had viewed a loyalist show of strength in the west Belfast constituency and there had been public demonstrations of the British Army flexing its muscles against the nationalist community. Dermot McShane had been murdered by the British Army and it was inextricably linked to the British Government. Then there was the issue of the firing of plastic bullets - representing 6,000 breaches of the Mitchell Principles. In addition there was the ongoing construction and fortification of military installations in nationalist areas and the continuing targeting of civilians by the British Army in attempts to recruit informers.

18. Sinn Féin said it could talk all day about these breaches of the Mitchell Principles by others but what good would this do when the process had to move forward? Sinn Féin said it had not dishonoured the Principles. The party had affirmed these and intended to keep to them. Sinn Féin said it was indicative of the state of the political process when it appeared that a number of IRA words gained more attention than the fact that violence had ceased. Sinn Féin said the IRA was holding to a complete cessation and it was therefore important that the opportunity was now taken to move the process forward. Sinn Féin said that on the other hand it was fine by it if participants wanted to spend endless time questioning the party on such issues but it had to be remembered that there were no facilitators or referees in the process. Everyone in the room was a player. It also had to be remembered

that the British Government had many fingers on many triggers at this point in the process.

19. The British Government acknowledged that it was important to get beyond this specific issue and on to substantive topics. Sinn Féin had, however, to be aware, whether there was, in its view, no difference between it and the IRA, that widespread public opinion thought differently and there were accordingly considerable concerns about the article. The British Government said that another concern was that the An Phoblacht article was extremely badly timed, two days after Sinn Féin's affirmation of the Mitchell Principles. The British Government said that there had been considerable speculation that the timing had been deliberate, to sabotage the start of substantive negotiations. Consequently there had been enormous public concern and interest about what exactly had happened last week. The British Government said that the real and positive business concerning the opening of substantive negotiations had been overshadowed by the release of the An Phoblacht article.

20. Sinn Féin said it agreed with the British Government that the timing had been unfortunate. However the party believed that the focus should have been on the entire contents of the article which in many ways was broadly supportive of the present Sinn Féin position and its entry into talks.

21. The Chairman asked the Irish Government whether it wished to raise any questions. The Irish Government said it hoped that the participants could get on with making progress. It was committed to the holding of substantive talks and gaining progress on these. It also had, like the British Government, a key objective of attempting to get the gun out of Irish politics once and for all. Nevertheless, despite these broader objectives, the Irish Government said the issue of the An Phoblacht interview should be touched on.

22. The Irish Government said that last Tuesday, in the room, the Chairman had read out the six Mitchell Principles and Sinn Féin, in response to a question from the Chairman, affirmed the total and absolute commitment of the party to those Principles which it described as not being as far reaching as its own position. Two days later the statement by an IRA spokesperson in the course of an interview in An Phoblacht was released, the statement to which reference had already been made and the timing of which Sinn Féin had said was unfortunate. The Irish Government said it wished to make its position very clear on the issues that arose between the positions thus set out.

23. Firstly it said, everyone involved, and not least Sinn Féin, had talked a lot about the importance of confidence-building measures in the whole process. Sinn Féin spokespersons had repeatedly claimed that the calling of the second cease-fire was the contribution of the Republican Movement to the building of confidence and was the greatest contribution of all. The Irish Government said it was a highly significant step, but Thursday's IRA statement represented a significant setback and undermined confidence. The Irish Government said it was very concerned about both its content and its timing.

24. As the Taoiseach had said last Thursday, the Irish Government said it expected the Mitchell Principles to be honoured by the entire Republican Movement. It was well aware of Sinn Féin's position as to their right, in their view, to be present on the basis of their electoral mandate. It respected the fact that Sinn Féin had such a mandate and this had been referred to by the Sinn Féin President and current Irish Foreign Minister in Leinster House over the years. But it was absolutely and explicitly clear from Ground Rule number 9 that Sinn Féin's "participation in negotiations required the unequivocal restoration of the cease-fire of August, 1994", and of course their acceptance of the Mitchell Principles. That cease-fire was renewed by the IRA from 20 July last. The Irish Government said it had heard from the security

forces, North and South, that that cease-fire had been respected in letter and in spirit. What applied to Sinn Féin also applied, as it had said, to the other parties present that had paramilitary associates. That was very clear from Ground Rule number 17 which stated:

"If, during the negotiations, any party demonstrably dishonoured its commitment to the Principles of democracy and non-violence set out in the report of the International Body by, for example, resorting to force or threatening the use of force to influence the course or the outcome of the negotiations, or failing to oppose the efforts of others to do so, it would no longer be entitled to participate in the negotiations".

26. The Irish Government stated that so far, as it had acknowledged, there had been a cease-fire of good quality, a cease-fire that had been unequivocal. That was very important, but it had to continue to be the position - indefinitely. Speaking here last Tuesday, following Sinn Féin's affirmation of their commitment to the Mitchell Principles, the Irish Government said it underlined the very exacting nature of the Principles and said that they called for a deep and permanent dedication to exclusively peaceful means.

27. The Irish Government said that Sinn Féin, for so long, called for fully inclusive talks. Such talks were now available. Continued full inclusiveness was a matter that lay in the hands of all parties concerned. The Irish Government said it hoped that Sinn Féin would take this opportunity to explain how their professed commitment to each of the Mitchell Principles was to be reconciled with the remarks disassociating the IRA from certain sections of those Principles. These remarks raised serious questions about the commitment which the two Governments expected the entire Republican Movement to give the Principles and which the Irish Government regarded as embodied in the affirmation made by

Sinn Féin last Tuesday. The Irish Government said everyone should get on with progress but not underestimate the damage done by the An Phoblacht article. The Irish Government said it would be glad to hear Sinn Féin's response and hoped that it would respond to the other points raised.

28. The SDLP said it had one question but it had nothing to do with the IRA's position in An Phoblacht. The party said it had noted the Taoiseach's statement on 11 September in connection with the publication of the article. It had been a two sentence statement, yet twice in one sentence the Taoiseach had referred to his expectation that "the Mitchell Principles were to be honoured by the entire Republican Movement".

29. The SDLP said the statement had also referred to decommissioning etc but the party said it didn't expect that the repetition of the earlier key words was an accident. Its one question for Sinn Féin which was not related to Sinn Féin's position on decommissioning or any other issues in the statement simply this. Would Sinn Féin share the Taoiseach's view that the "Mitchell Principles should be honoured by the entire Republican Movement".

30. Alliance recalled the Chairman's earlier request for participants to provide comment on the current position of the process. Alliance began by saying it had been a little surprised by the earlier comment from Sinn Féin that there were no referees in the process. What about the Independent Chairmen? The party certainly viewed all three Chairmen in this light and was very content to do so. Alliance said the process had now reached the 15 September - the date on which the two Governments had given a public commitment to commence substantive negotiations. The party said it had showed its desire to go along with this but it had to be remembered that it was the Governments' commitment and not that of the participants which was the issue here.

31. Alliance said it wanted matters to move ahead but it was a matter of how this was done. The party said there was no reason why both Governments couldn't now start immediately on Strand 3 issues. The party said it also wished to see participants adhering to specific timetables as the only way to push ourselves. The two Governments should set an example of their determination by commencing Strand 3. This would also mean that the International Commission on Decommissioning could become operational at the same time and the party had welcomed recent statements from the Governments in this regard.

32. Alliance continued saying that it regretted and was unhappy about the current position of the UUP and loyalist parties and compared this with a typical domestic situation. The party said it very much hoped that the process would move forward on Tuesday 16 September.

33. Alliance said that the process had suffered some buffeting in the past when some participants had been closely aligned with threats and acts of violence. Indictments had been raised by the party and cross examination of those in question had occurred, though the party was unhappy with the responses received at the time. On this occasion Alliance said it wished to raise serious questions through the Chair about the An Phoblacht article. First of all it asked whether An Phoblacht was a Sinn Féin publication and was it produced with the agreement of that party? Was the public declaration contained in the article approved by Sinn Féin? Alliance added that, given the timing which Sinn Féin had already described as unfortunate, the latter had to take some responsibility for the effect the article created in terms of confidence building. Very little confidence could be gained in a situation when Sinn Féin affirmed its commitment to the Mitchell Principles one day and then the IRA placed doubt on that commitment two days later. This was not a confidence-building measure; it simply undermined confidence.

34. More importantly, said Alliance, was the relationship between Sinn Féin and the IRA. It noted that Sinn Féin had previously stated that Sinn Féin was not the IRA nor was the IRA, Sinn Féin. Alliance said that it seemed Sinn Féin expected the rest of the participants to believe such a statement. Was Sinn Féin therefore saying that there was no organic relationship between the two organisations? Was there no cross membership between Sinn Féin and the IRA? The party asked whether everyone was now seriously being asked to believe such a position. All one had to do was to view the make up of the Sinn Féin delegation today which called this statement into question. Alliance recalled a Sinn Féin statement during the last cease-fire when it had said at a public demonstration that "the IRA hadn't gone away". But how did Sinn Féin know this if there was no organic relationship between both?

35. Turning to a further point, Alliance said that Sinn Féin and its leadership had frequently claimed in public that the process was a peace process rather than a political process. In terms of examining the issue of weapons and the need to remove these from the equation, Alliance said that those parties who were present on the basis of their electoral mandate would, it hoped, assume that any agreement would be binding on all of them. While the party hoped that everyone inside the process could hold to such a position, it couldn't be sure that those outside the process would necessarily go along with that same position. There was no absolute guarantee that this would occur. The fundamental question in all of this was that if the political parties signed up to an agreement within the process, was this binding on those outside if the latter had no organic relationship with the parties that were participating in the process? If this situation were inconceivable then there must be an organic relationship between Sinn Féin and the IRA. If this situation were conceivable then the participants were engaged in a political process, not a peace process. Alliance said the point it was making was not simply associated with the building of confidence; it had fundamental implications for the

type of process in which all were currently involved. The party asked Sinn Féin for clarification on this.

36. The NIWC said its experience thus far in the process suggested that it should seek reassurances on issues such as the An Phoblacht article as and when these came up. The party said it was right to treat the issue seriously since the general public appeared to be taking it extremely seriously as well. The party said that there was those who had viewed the An Phoblacht article as being wrongly timed; there were others who had said the timing was perfect since it could be interpreted an attempt to ensure that the unionists remained out of the process. The NIWC asked Sinn Féin whether its shared this view. Such a perception was widely held on the streets and as such it needed to be rebutted. The party said it had learned many things following its visit to South Africa. Importantly it had listened to President Mandela who had spoken of the need to "make peace with your enemies". The NIWC said that those outside of the process had to learn to follow this. It was also clear from the South African experience that the negotiations had to operate in a climate of peace - a position which had to endure not just during the negotiations but also following their outcome.

37. The party said the Chairmen had been correct to put down the Mitchell Principles. The NIWC said it valued these principles and would take some comfort if Sinn Féin also valued them. Overall, the NIWC said that the process had to move on, otherwise whatever confidence participants had in it would be lost. 96% of the people are telling us they want these talks to work. The party said one couldn't sustain a position whereby those on the outside of the process were gaining more confidence than those inside it. There was a need to be serious about entering negotiations now and moving forward albeit within a tight deadline. The party asked Sinn Féin whether it (Sinn Féin) genuinely believed that all parties, including the unionists, should attend the negotiations rather than the public perception of it (Sinn Féin) wishing to leave unionists

out thereby allowing it and the Governments to sort matters out on a one to one basis.

38. Sinn Féin said it wanted all of the parties at the negotiating table. It stressed its commitment to all party talks, and said that when it had initiated the current process with John Hume, it had acknowledged that there had to be agreement with the Unionists as well as the two Governments. It reiterated that Sinn Féin wanted the unionists to attend. Responding to points raised by the Alliance party, Sinn Féin said that the newspaper in which the IRA interview had appeared was not an issue. 'An Phoblacht' was run by its editor. Had he (Gerry Adams) known of the intention to publish the interview with the IRA, he would have counselled against doing so at this time. But Sinn Féin did not discuss the editorial policy of 'An Phoblacht'.

39. Sinn Féin asked Alliance what it had meant when it used the word 'violence'. Did it encompass violence by the IRA and the loyalist parties, the use of physical force, institutionalised violence, alienation from society, or all of these? The party observed that Alliance supported the RUC and had on occasion called for more RUC officers to be deployed in certain areas. Did this constitute a breach of the Mitchell Principles? Did the use of plastic bullets constitute a breach of the Mitchell Principles? It said violence was in the eye of the beholder. Participants should take a very wide view. Sinn Féin would have to listen, but so too would other participants.

40. Responding to the SDLP's question, Sinn Féin said it wanted to see total decommissioning which would include not only IRA arms, but all arms. The party said it was seeking to work with all of the participants to address all of these issues. The SDLP asked if Sinn Féin would give way, which it agreed to do. The SDLP noted that Sinn Féin had used the words 'dialogue and understanding'. If so, there must be an honest meeting of minds. The SDLP said it had asked whether Sinn Féin shared the view expressed by the Taoiseach

that he expected the entire republican movement to respect the Mitchell Principles.

41. Sinn Féin challenged the implication that its response was dishonest. The party said it spoke for Sinn Féin and would go no further than that. It said it would do its best to reach agreement on the issues confronting the negotiations. Given the SDLP's knowledge of the conflict it would recognise that they had all come a long way. Sinn Féin was not talking about reaching a settlement as an aspiration but as an objective. The SDLP said it had not wished to imply dishonesty. It said that its question was an honest one, and it repeated it. Sinn Féin said it had answered this question. It had affirmed the Mitchell Principles on behalf of Sinn Féin. It was here to represent its constituency, and affirmed that it was at the negotiating table with the other participants to seek and deliver agreement on the issues outstanding. It said the implication seemed to be that some parties were of greater importance than others. The IRA cease-fire had not been brought about by Sinn Féin alone; it was a shared task which had also included the SDLP leader. This had been the case on both occasions that the IRA declared a cease-fire.

42. Sinn Féin turned to the issues raised by the Irish Government. The party said it had not lightly affirmed the Mitchell Principles. This was a serious business and it intended to honour its commitments. Sinn Féin said it had raised on a number of occasions with the Irish Government the 'killing activities' of the British Army and the RUC. It said Mrs Restorick, who had come here today, had shown great dignity and courage, and clearly wanted the process to work. Sinn Féin asked about the other mothers, who had seen their sons killed by members of the British armed forces. It said there was no difference between them and Mrs Restorick. The only difference was that the IRA was a non-governmental organisation, whereas deaths caused by the British armed forces were 'legislative or judicial killings.' Sinn Féin asked the Irish Government whether it considered the construction of an RUC station at Ballymurphy,

harassment by RUC officers or the raid on a house in Turfl Lodge as a breach of the Mitchell Principles. It noted that only the DUP had formally requested the expulsion of Sinn Féin from the negotiations. It was legitimate for parties to ask questions of Sinn Féin, and it was happy to answer them, but there should be no interrogation or point-scoring. They should seek instead to make progress towards a permanent peace that would bring justice to this island.

43. The Alliance party returned to the question it had asked, and said it had not raised the issue of violence. Its questions were not intended to be an interrogation, but the party observed that on a number of occasions in the past participants had been questioned closely and at length in the negotiations. The party asked about the nature of the process. If it was a political process involving only political parties, then only the parties present, and the organisations accountable to them, could give undertakings. It said the British and Irish armed forces were organically linked to their respective Governments, and their chains of command were clear. The respective Governments were able to deliver on undertakings in respect of their armed forces because they acknowledged the link between the politicians and those holding the weapons. The party asked how they were to be persuaded that an agreement would be deliverable if they were being asked to believe that there was no link between Sinn Féin and the IRA. Alliance asked whether the IRA Army Council dictated policy to Sinn Féin or whether Sinn Féin was the supreme body; either way IRA support for a settlement could be guaranteed. But if the two organisations were completely separate then they were engaged in a political process rather than a peace process, and they could have no confidence that a settlement would be adhered to by the IRA. Alliance said it would participate in the negotiations under either basis, but it wished to know which situation they were dealing with.

44. Sinn Féin said its position was clear, and it would not repeat it. It asked Alliance who they had meant by earlier references to members of the Sinn Féin delegation. The party said it had never included the Irish Government or the Irish Army in its comments. The British Government had jurisdiction in the six counties, and the Irish Army had carried out no actions in this area. It asked the Alliance party if it would clarify whether it considered the use of plastic bullets, the killing of civilians by Crown forces, the existence of, and activity by, other armed forces during the IRA cessation, a breach of the principles of democracy and non-violence. The party said they had all come a long way, but if the Alliance party felt it could do a better job persuading the IRA, it would bow out.

45. Alliance said this was the whole point. It said the levers available to Sinn Féin were far greater than those of Alliance. It said Sinn Féin had not answered its question, and had instead asked other, albeit legitimate, questions in an effort to deflect attention from this fact. The party was forced to conclude, with regard to confidence building, that Sinn Féin was not prepared to answer its question. Sinn Féin asked whether killing children with plastic bullets was a breach of the principles of democracy and non-violence, and said it had raised this question with Alliance before. The party said it was trying to bring about a situation where all arms were a thing of the past, and wondered whether the British Crown forces were subject to the same rules.

46. The Irish Government asked whether any other participant could intervene. The Chairman said he would call the Alliance party, Sinn Féin and the Irish Government to speak in that order. After this he would make a brief statement to conclude this section of the Plenary. The Irish Government said that, though this was an important issue, they were going round in circles when they had other business to conduct. The Chairman said he would call Alliance and Sinn Féin, and then make his concluding remarks.

47. Alliance said they should get used to going round in circles. It said the two Governments could rush ahead into the third strand. It said the British Army, or the Irish Army when searching for illegal weapons, were in an entirely different position to the IRA or the loyalist paramilitaries. They were internationally recognised as legitimate forces, and their chains of command were clear. When they break the law, as they sometimes do, they should be subject to it, though this had not always been the case. The Mitchell Principles do not require any subsequent disbandment of either of these armies, whereas they do require the disbandment of illegal paramilitary armies. Alliance believed Sinn Féin had raised this issue in order to distract attention from the question first asked. The two Governments could rush on, but they could have no confidence that the IRA would abide by agreements reached by Sinn Féin. There were also other elements in the community, particularly those not present at the talks, who needed to be persuaded. This was the nub of the problem. Sinn Féin must also build confidence. If not, rushing onwards would not lead to progress.

48. Sinn Féin said it was surprised that these questions had not been put to the loyalist parties, and asked why they were being put to Sinn Féin now. Alliance said they had asked these questions of the loyalists, to which Sinn Féin said the party's comments had not indicated as such, and that it now knew what to expect from the UUP. Sinn Féin said they were dealing with twenty-five, seventy-five or eight hundred years of history. It said there were those in Irish republicanism who had tried to move hell and high water to plot a course out of violence; some of them had risked their lives in so doing. Before either the Mitchell Principles had been written down, or the IRA had called its first cease-fire, Sinn Féin had said that if there were real and meaningful negotiations they would have to take place in a peaceful environment. The party said Sinn Féin was being examined, but all were surrounded to some extent by hypocrisy. There was a link between the British Government and the British Army, and accordingly the British

Government was responsible for all their actions. Had the Alliance party raised this issue? If the answer was no, then they had no right to interrogate Sinn Féin. The party said the corridor leading to the restaurant in Castle Buildings resembled Castlereagh detention centre. It exhorted participants not to turn the negotiations into an interrogation of those who were trying to plot a path out of violence.

49. Sinn Féin said their talks delegates spoke for Sinn Féin, a democratic, legal party, and not the IRA. It said there was no organic link what-so-ever between the two organisations, regardless of what others believed. It said it had been bombarded by statements from the former British Prime Minister, among others, that a vote for Sinn Féin equalled a vote for violence. The increase in the Sinn Féin vote in the last election had proved this wrong. The party said this debate could go on, but the time before them was short. It would begin again when the unionists were present. Sinn Féin said there was much anger and hurt on the streets, anger at the use of plastic bullets, and the continuing activities of loyalist death squads. Yet there had been no action by the IRA since its cease-fire. It said it was time to move on. They must strive to take away the reason why people felt the need to resort to armed force. Sinn Féin was dedicated to making the talks a success. It said that many here were critical. It believed the Unionists did not wish to participate in negotiations, nor negotiate with the SDLP or the Irish Government, and were using the presence of Sinn Féin as an excuse. It was important they get the mood right. If Alliance and other parties showed some understanding of this then progress could be achieved.

50. Alliance said its question was not about violence or the use of plastic bullets. It was trying to clarify the relationship between Sinn Féin and the IRA. Sinn Féin said there were no organic links between the two organisations. Alliance said they were thus saying that when an agreement is reached in the negotiations it would not necessarily guarantee peace. Sinn Féin

replied that it was not able to guarantee anything. Alliance responded that Sinn Féin could thus not claim they were involved in a peace process, but only a political process. It accepted that Sinn Féin was in the talks because of its electoral mandate, but contended that the party's relationship with the IRA was also important. It repeated its concerns about whether a settlement agreed by Sinn Féin would be respected by the IRA if there were no links between the two. Sinn Féin said this showed how difficult the task of securing an agreement would be, to which Alliance responded by saying that its question had not been answered. The Irish Government then suggested that the Plenary move on to the business before it, and Sinn Féin asked whether Alliance would respond to the questions it wished to see answered.

51. The Chairman said he intended to make a statement and then adjourn the Plenary. Noting that he had asked participants last week to make themselves available throughout the day and evening, he said the Plenary would reconvene at the call of the Chair.

52. The Chairman said the principles of democracy and non-violence were to be taken seriously and were essential to the success of this process. They represented not the view of the three Chairmen, but the aspiration of the overwhelming majority of people in Northern Ireland for peace and political stability. Because of this they were the basis on which the talks were organised.

53. The Chairman said it was clear that if the Principles fail, so will the talks. He prayed that this did not happen, but if it did, history would not judge favourably those responsible for their failure. He said the participants were all engaged in Northern Ireland politics, and so knew better than he the historic opportunity these talks represented. For the sake of the people they represented they could not let the talks fail. If there was to be any chance to succeed the principles of democracy and non-violence must be honoured. It was very clear to all that if they were not honoured this process would fail and with that an

opportunity for peace and political stability in Northern Ireland. The Chairman proposed to conclude this section of the Plenary, and urged participants to reflect on how they might make this process work.

54. Sinn Féin asked for an overview on how the process stood at the present. It agreed with the Chairman's statement about the importance of the talks - this was the first time since partition that the two Governments and the political parties would sit down together. However, it understood that substantive political negotiations were to commence today. Sinn Féin shared with the two Governments and the other participants the wish to see the unionists at the negotiating table. It asked about the two Governments' procedural motion. The Plenary had discussed the status of non-participants in the talks. It wanted to know whether Minister Murphy would give participants an update on his talks with the UUP. The party said the public were looking for a signal that the talks would start today, and asked for clarification on this point.

55. The Chairman said the two Governments were trying hard to accomplish the start of political negotiations. They had requested an adjournment so they could consult on the current status of discussions. He then explained the rules governing an adjournment to the Plenary, and said he was obliged to grant a request as long as a participant had not abused the mechanism, which the two Governments had not. The Chairman stressed that they had not yet completed the day's business, and expressed the hope that this would be possible in a few hours time. The intention was to proceed to the procedural motion, but the two Governments were not yet in a position to do so.

56. The Irish Government said it understood the frustration felt by participants, and asked for time. They were keen to honour their commitment to launch political negotiations on 15 September, and asked for the participants' indulgence. The British Government

said it concurred with what the Irish Government had said. Both Governments were determined to come back this afternoon and move forward, and were asking participants to give them some leeway to achieve this.

57. Sinn Féin referred to the statement issued by the UUP. It understood that the UUP was to meet with the Chairman at 18.00 hours. It observed that Minister Murphy had just returned from a meeting with the UUP. It asked about the time-frame for the Plenary, and said participants should not be left in the dark if information was available from the media. The Chairman said his meeting with the UUP would take place at 16.45. He did not know the content of the meeting as he had spoken only briefly with the UUP when acceding to the party's request for a meeting, as he had acceded to all such previous requests from talks participants. The British Government said it was in the same position as the Chair. It did not know the UUP's intentions as regards the release of information to the media, but understood that the two statements so far issued by that party had been factual. The British Government said it hoped there would be progress tomorrow, but did not wish to say anything until further consultations had occurred.

58. Sinn Féin said it presumed Minister Murphy had shown the UUP a copy of the procedural motion, and observed that Minister Murphy was nodding in assent. It asked to see the motion as soon as possible. The British Government said the document would be available soon. The Irish Government concurred, saying it wished the document was available to participants now, but a delay was necessary. Alliance said they had heard a lot of talk about inclusivity in the talks. It said some participants had been waiting years for cease-fire and international agreements. If agreement was to be reached it was inevitable that, from time to time, participants would have to wait while the concerns of an individual participant were met. At times in the past many of the participants had been the cause of delay, and the Plenary would have to be patient

59. The Chairman adjourned the Plenary at 15.52. He asked participants to be available to resume the Plenary at the call of the Chair, which he hoped would be in roughly two hours time.

**Independent Chairmen Notetakers
19 September 1997**

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