

**SUMMARY RECORD OF OPENING PLENARY SESSION -
MONDAY 15 SEPTEMBER 1997 (20.05)**

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 called the meeting to order at 20.05. Prior to this, Alliance had voiced concern that the rules of procedure governing the amount of time allowed for parties to enter the room were not being observed. It felt that this was not a good precedent to establish on the eve of the launch of substantive negotiations.

2. The Chairman said that, when they adjourned, he had indicated that the two Governments and participants would consult in an effort to present the procedural motion as soon as possible. The procedural motion was a fully comprehensive motion, embracing the full range of subjects remaining before the Plenary. These included: decommissioning and a resolution of item two on the agenda of the Ppening Plenary; the establishment of an Independent Verification Commission; the completion and approval of item three (comprehensive agenda); the beginning of a series of Business Committee meetings to establish the time schedule and procedures to be used in the three strands and, following the completion of the agenda, the launch of the three strands; and the subject of future Plenary meetings for purposes of review across the three strands.

3. The Chairman said that, not unexpectedly, some questions had arisen regarding some aspects of the procedural motion. Accordingly, it was not possible to present the motion this evening. However, following further consultation, it was intended

that the motion would be presented tomorrow. The Chairman recognised the inconvenience to participants of having to wait while others discussed these outstanding matters; it was regrettable but necessary. He proposed to invite the two Governments to express their view, and then he would ask for comments from the participants. He suggested that participants accommodate the two Governments' situation, recognising that they were trying to move the process forward. He said they had succeeded in doing so to a significant degree over the preceding few days. He therefore proposed that the Plenary adjourn until 14.00 tomorrow, but first invited the participants' views.

4. The British Government apologised for the delay, which it described as undesirable. It said it was trying to get inclusivity and sufficient consensus, without which it was difficult to proceed. It asked for the participants' indulgence in this regard. The Irish Government thanked the Chairman for his summary of the current situation. It shared the frustration expressed by the British Government and appreciated the patience shown by the other participants. They had made considerable progress today, and their shared goal of inclusivity and substantive political negotiations was worth going the extra mile. The Irish Government was committed to moving the process forward tomorrow, and asked the participants' indulgence.

5. The SDLP said it would abide by the Chairman's suggestion. It wished to comment on the UUP statement. The SDLP said that the arrangements for participation in the talks, the format for substantive talks and the agenda for substantive talks, had been agreed by the participants. They had not been altered or renegotiated when Sinn Féin had entered the negotiations. It would be remarkable if any attempt was now made to renegotiate any of these, all of which had broad agreement among the participants. The party said it was devaluing of the talks process if negotiations continued to take place outside, be it in Downing Street, Glengall Street, or anywhere else. This added nothing to

communication and was devaluing of both the negotiations process and those involved in it. The SDLP said it was in the interest of all that this practice be curtailed, as it was not adding to the potential of the talks.

6. Sinn Féin said it had not yet agreed to the adjournment proposal. It apologised for being late, but it had only just received a briefing. It agreed that it was frustrating, but understood the difficulties facing all of the participants, including the unionists. It shared the objective of all party talks involving the unionists, and wanted to have a discussion about how this might be achieved. It said it wished to raise a procedural issue with the Chair later, but first it outlined two options it saw open to the Plenary. Participants could say that an effort to start substantive negotiations today had been made, but had not succeeded, and that they would try again tomorrow. Alternatively, they could do what Sinn Féin thought the two Governments were proposing, which was to pretend that substantive negotiations had been launched tonight. It said that no-one would believe this, as the real action was taking place outside the negotiations.

7. Sinn Féin said they would have to work out tactically the best way forward. The party said that the two Governments had told them they would start substantive negotiations on 15 September regardless of whether the unionists were present or not. The participants would have to determine whether the unionists were involved in a fishing trip for concessions or whether they wished to take part in political negotiations. It said the UUP was at an advantage over Sinn Féin as they had seen the procedural motion whereas Sinn Féin had not. The Plenary had to decide whether or not to start the negotiations now. It acknowledged that participants had waited fifteen months for Sinn Féin to enter the negotiations process, but it pointed out that Government ministers had not travelled to meet the party at its Connolly House headquarters.

8. Sinn Féin said it wished to seek advice from the Chair before agreeing to an adjournment. The party wanted to see the agenda for tomorrow worked out. It also said it had heard talk of a 'Plan B' and asked for information about this if it was to have a sense of ownership of the process. It acknowledged that it was everyone's shared objective to get the unionists in, and said it might be prepared to go along with the proposal, but it would be difficult to explain this to the people outside. The Chairman said he would call the Alliance party to speak, and then ask the Irish and British Governments to reply to the questions raised.

9. Alliance said that there was a large number of people outside, possibly close to a majority in Northern Ireland, who were not represented here in the talks and who shared different views about the talks process. The party urged participants to address themselves to these people, as well as to their own constituency. It recalled previous talks processes, such as that of 1991-92, when some participants had to be patient whilst others embarked on a fishing trip for concessions. Alliance said it was the two Governments alone that had set 15 September as the deadline for starting political negotiations. It said it was not up to the two Governments to dictate the course and sequence of events. The party believed that to do so was only to invite others to seek to frustrate progress, be that through physical force or through erecting obstacles.

10. Alliance said talk of inclusivity brought home to people the reality of the difficulties facing the talks, as did talk of achieving mutual satisfaction among the participants. It questioned whether this was possible. The party said it was not they who had used these terms, and pointed out the danger that, as one set of participants were brought in to the process, another would leave. Alliance said the process would be extremely difficult unless there was a realisation that the wishes of the participants and of the people could not be ridden over roughshod.

It said this part of Ireland had seen too much of this in the past. Sinn Féin and the SDLP had experience of it, as had some dissenting people in the so-called majority community. The two Governments could move ahead on Strand Three, but Alliance advised against making undertakings which they were unable to deliver as these were on occasion regarded by others as a challenge to frustrate progress. The party said the day's events were an illustration of the enormity of the task ahead, and warned that serious problems would arise unless this was changed. It said it agreed with the comments made by the SDLP.

11. The NIWC said it was also extremely frustrated at having to delay such a major decision until the following day. The party said it recalled proposing a motion in July to postpone the vote on the Governments' decommissioning proposal and it was now somewhat ironic that the Ulster Unionist Party, who voted against the motion at the time, was now the main cause of the present delay. The NIWC said that Sinn Féin was correct in its earlier comments about public relations tactics and dressing up decisions. The party said it recalled the dressing up of the decision to put the Chairman into the process and the similar situation which occurred when the rules of procedure were finally agreed. The party said it also recalled saying that the principles surrounding the outcome of Strands 1, 2 and 3 could have been agreed in the time taken for the rules of procedure to be produced.

12. The NIWC said it had learned a great deal about the process since its arrival in June 96. The process was about marrying two cultures so one had to avoid creating a situation whereby the process became important for one culture and not the other. The party said it was inevitable that there would be delays in order to achieve the key objective of having a process which represented both cultures.

13. The party said it operated under the principle of inclusion. It had fought for this for itself and for the inclusion of Sinn

Féin. If it happened to take one more evening to have the UUP included, then so be it. The party said, however, that it accepted this situation with great reluctance since many people in the community had been praying for the commencement of substantive negotiations today.

14. The NIWC said it believed it was therefore necessary from a public relations perception to explain to people that today's business was the beginning of getting to substantive talks tomorrow. The party said that one had to put the emphasis on tomorrow. It agreed with the Governments earlier comments on this and sincerely hoped that it would be possible to say something about "substantive negotiations beginning".

15. The British Government said it wished to respond to points raised by Sinn Féin, Alliance and the NIWC in terms of public consumption on the day's events. The British Government said it didn't agree that progress hadn't been made. Some movement, perhaps only a millimetre, had occurred and more would follow. It was better to refer to the day's business in these terms than to say nothing since the difficulty with the latter position was that a negative signal would be sent. The British Government said it couldn't agree about the scheduling of business on Tuesday until it actually knew what was going to happen. In the interim it didn't believe that 12 hours was too long to wait to establish this detail. The British Government said that media comment should concentrate on the fact that today was the first day of substantive negotiations and there would be more tomorrow. The date of 15 September was selected by the Governments at a time when it was believed that some momentum should be given to the process. This was the reason for it. So today the process made progress and maintained further momentum. Sinn Féin was present today. The UUP would hopefully be present on Tuesday. That was the progress. Now it had to be given one more night to achieve more the following day.

16. The Irish Government said it acknowledged that the broader objectives of the process wouldn't be easily achieved. It thought that the launch of the 3 Strands of negotiations would occur today - even up to late afternoon it thought this could still be achieved. In the late afternoon the Irish Government said a difficult decision had to be made as to whether to launch the process without the UUP or attempt to refine certain issues in order to gain the UUP's entry. The Irish Government said that both Governments took the decision to work on with the refinement and it believed this was the correct decision.

17. The Irish Government said it fully understood the difficulties of the participants and the public perceptions about the day. It said it believed the process could be moved forward on Tuesday. As it had intimated in its opening remarks, it wished to see progress being made and it wished to put down a procedural motion on Tuesday. The Irish Government said the process and the participants couldn't be dictated to by one other participant. One had to move on with the process, put down the procedural motion and permit participants to speak on it. This had to be the approach and the public wanted to see this happening. The Irish Government said it believed the price of launching the process was worth waiting for until tomorrow, though an indefinite wait was not on the cards. It therefore appealed to Sinn Féin, who had expressed reservations about the delay, to bear with it on this point. The Irish Government said it therefore went along with the Chairman's suggestion. It would be commenting publicly that though it had been a delicate day with many delicate discussions, considerable progress had been made in getting the process started.

18. The Chairman, in referring to his earlier comments regarding the proposal to adjourn, acknowledged that Sinn Féin might have been misled by him. Under the rules of procedure (rule 20) it was the relevant Chairman who had responsibility for convening, rescheduling and adjourning meetings. The Chairman said that while he had, in the past, always solicited the views of the participants

on adjournments, which is what he had intended to do earlier, the ultimate decision rested with him. There was therefore no vote to be taken since the Chairman's decision was final.

19. Sinn Féin said it accepted the Chairman's ruling. It wished to raise another matter in due course but first of all wished to know how the adjournment and the stage now reached was to be described outside to ensure that everyone appeared to be singing from the same hymn sheet. The Chairman said he would ask the British Government for a comment in a moment but first wished to point out that there was a rule of confidentiality (rule 16). The Chairman said it was a good suggestion from Sinn Féin about how best to characterise the content of the meeting but unfortunately, on the issue of confidentiality, everyone had frequently done their own thing when it came to characterising meetings in response to media inquires. The Chairman then asked the British Government to comment.

20. The British Government said that it would be commenting to the media along the following lines: the substantive process had now started, progress had occurred today and more progress would occur tomorrow. That was basically the gist of it.

21. Sinn Féin said it wished to raise another procedural matter related to the issue of media comment. The party said it had listened to an earlier TV broadcast, following the afternoon Plenary, in which the Alliance leader had provided a version of events which the party (Sinn Féin) disputed. Sinn Féin asked what it should now do, go out to the media and give its own spin? The party inquired from the Chair what was his ruling in this case? Sinn Féin said it was also concerned to know what the two Governments would be saying outside and from that it would figure out what it would say.

22. In response to Sinn Féin's point, Alliance said, in the absence of its leader, that the latter had been particular in what

had been raised with the media following the afternoon Plenary. The party said that its leader had confined his comments to providing the party's position and no one else's as had been the rule all along. Sinn Féin asked whether the issue could be left until the Alliance leader returned.

23. The Chairman said that, with regard to the confidentiality aspect and media interviews, he would try to deliver a brief summary of the current position in what was a difficult and vexing subject. When the rules of procedures had been debated great emphasis had been placed on ensuring the Chairman's confidentiality and as a result rule 9 had been included. In practice, following the conclusion of meetings, participants were frequently in a defensive mode departing the building and giving their side of events to the media. The Chairman then said that after a lengthy debate (over two days) was held on how to define confidentiality, the only agreement reached was that participants were free to repeat what they had said but not their version of what others had said. The Chairman said he recognised that the whole issue was very difficult to honour and apply.

24. The Chairman continued saying that it had to be remembered that everyone was present in a political capacity, representing an electoral constituency and that each party had to handle itself with the media in such a way as it didn't incapacitate the party's ability to represent its electorate. The characterisation of the process was, however, also important, particularly today, but unfortunately the Plenary had not been able to devise a workable process on this issue. The Chairman said this had made it difficult in the past in terms of providing neutral comment to

those outside and might become more difficult in future, so much so that the process might wish to revisit the issue in the near future.

25. The SDLP said it went along with the Chairman's comments. It said that on the evidence of today's proceedings, it was more advantageous for participants to go and speak to the press to find out what was going on instead of staying in the process. The party said that perhaps the problem wouldn't be so bad in May if a settlement was reached.

26. The Chairman referred to the American past time of "time outs" during football games and commented that a practice seemed to have developed in the process during the last period for participants to organise their own "time outs" for media comment. He hoped this had now gone but the problem still remained that there was no satisfactory response to Sinn Féin's original question. Following a point of clarification from the SDLP, the Chairman asked whether there were any other comments. Following a comment from the NIWC, Sinn Féin sought clarification as to what the Governments would be saying and whether this would be in line with the thoughts of the British Government earlier.

27. The Irish Government responded by saying that it would be speaking to the media along the lines that some significant progress had been made to date; Sinn Féin was present; some issues had to be refined in attempting to include the UUP as soon

as possible. On hearing no further comments, the Chairman adjourned the meeting at 20.50 until 14.00 on Tuesday 16 September.

**Independent Chairmen Notetakers
19 September 1997**

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