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From: Independent Chairmen Notetakers
2 July 1996

SUMMARY RECORD OF INFORMAL DISCUSSIONS ON PROCEDURAL GUIDELINES AND
AGENDA FOR PLENARY SESSION - MONDAY 1 JULY 1996 (13.05)

Those present:

Independent Chairmen	Government Teams	Parties
Senator Mitchell	British Government	Alliance Party
General de Chastelain	Irish Government	Labour Party
Mr Holkeri		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 welcomed everyone to the first session of the week and stated that when last week's final meeting had adjourned on Thursday, he had indicated that discussions would resume today of para 10 of the "proposed additions" paper dated 27 June. The Chairman also said that he had invited each party to submit, by close of play today, an idea of how the schedule for business over the forthcoming weeks should be conducted. The Chairman then reminded participants that they had agreed to meet on four days this week, not rising later than 15.00 on Thursday.

2. Mr McCartney sought acknowledgement from the chair to raise point of "general interest". On receiving the Chairman's agreement

CONFIDENTIAL

he recalled the lengthy debate regarding an amendment in relation to para 27 which had taken place the previous Thursday. He continued saying that almost every representative spoke on the amendment itself and he had not recalled a single delegation indicating that, whatever the potential solution, the time spent on it was neither pointless or be regarded as "delaying tactics". He was therefore somewhat upset to read in the press following that meeting that Mr Trimble had been saying that he (Mr McCartney) had been using delaying tactics and this was an act of bad faith. Mr McCartney also said he did not like the Alliance comments which were contained in the same press article. He continued saying that if this was going to be the style of things in future and people were going to make these comments without the public having full knowledge of what was going on inside the Conference Room, then the rules of confidentiality when they were agreed were going to be difficult to implement. Mr McCartney said he was getting fed up with nonsense such as this and if it continued, then he would be letting the press know exactly what was going on. As far as he was concerned, all his remarks had been germane to the process and he had not indulged in any personal attacks or divergence from the issues under discussion. He suggested that perhaps some direction should be given to those who were speaking to the media like this on the basis that press information should not consist of slighting fellow delegates.

3. Dr Paisley concurred with Mr McCartney's comments. He (Dr Paisley) then read out another newspaper article in which Mr Trimble was reported to have given a full analysis of the talks to date at a Dundrod speech the previous weekend. Dr Paisley quoted a number of references from the press article, one of which was a reference to Mr Trimble introducing changes to the Ground Rules document. Dr Paisley indicated that if you were making a

change to something then you didn't have "a blank piece of paper" to start with.

4. The Chairman thanked both participants for their comments. Dr Paisley then asked the Chairman about the timing of business for today. The Chairman indicated that, as was his previous practice, he would seek views from the participants on this. Dr Paisley intervened saying that he understood the discussions were going to go through to 19.00 and, if this was the case, then there needed to be at least one break in late afternoon. The Chairman reminded participants that the time of 19.00 had previously been put forward by the PUP and he believed it was useful to have this outline for the day so that people could plan other activities, be they dealing with other business or domestic commitments. The Chairman commented that it might well be the case that the composite views of the UUP and PUP, the former of which had suggested meetings on Mondays, Tuesdays and Wednesdays, would be a good format to continue with. However he didn't want total rigidity in this timetable in case agreement on an issue was near but because of time being reached on an issue where that constraints further discussion on the issue at that time would be concluded yet 10/15/10 minutes more might make all the difference. It was also the Chairman's view that the UUP and PUP proposals might well be the type of timing required when the formal proceedings got under way. As to today's business, he believed there was a consensus for the discussions going as far as 19.00 and that, on listening to remarks around the table, these would be a break somewhere between 16.00-17.00.

5. Dr Paisley indicated that these arrangements including the helpful timing of the events were fine, providing that the canteen facilities were up to speed. Mr Weir then sought clarification as

CONFIDENTIAL

to whether discussions were to be held on Thursday of this week. The Chairman said this was correct and confirmed that when he had been talking earlier about the proposals from the UUP and PUP, he was thinking of applying these timings to the actual negotiations when they began. He indicated that this Thursday would be available for informal discussions and that discussions today would go to 16.00, to be followed by a break, and then reconvened until 19.00. He asked whether everyone was in agreement with this proposal. The participants then signified their agreement. The Chairman continued saying that what he now proposed to do was to ask whether there was any objections to the proposed remaining paragraphs in the "proposed additions" paper. He also commented that he would not be asking for comments from those who had proposed the most recent amendments unless they themselves wanted to do so.

6. Mr Mallon asked whether the proposers of the most recent amendments fully supported the contents of those amendments. The Minister of State (Mr Ancram) commented that, for his part, if there was no contribution to make then this indicated that the Government stood by its original thoughts contained in its amendments. The Chairman attempting to provide clarification of this position asked participants to look at para 15. As well as the original paragraph there were now two further amendments to it, one from the UDP and the other from the NIWC. It was his intention that when this paragraph and others like it came up for discussion that discussion would focus on all amendments on that paragraph with a view to listing objections or not as the case may be. Mr Mallon again returned to his earlier question regarding the amendments listed for discussion and asked whether these were in effect amendments seriously proposed by the participants (including both Governments). The Minister of State reiterated his earlier

CONFIDENTIAL

point that where discussion had already taken place on the paragraphs then no further comment from the Governments was required. However, he continued, saying that the Governments might wish to explain the basis and ideas of any re-amendments if these were needed. Mr Mallon indicated that, due to an early arrival he had already spent some time during the course of the morning looking at the current document. He said it was interesting to see how the amendments had got to this stage, the series in which they had arrived and been developed and the angles they were coming from. He posed the question as to when the process was going to draw conclusions on these amendments. He suggested that once the process had defined "sufficient consensus" then it would be useful to apply this factor to enable these amendments to be resolved. It seemed to him that so long as the process didn't have an agreed means of reaching a decision, then amendments could keep coming in continuously. He asked the chair whether this situation could be looked at carefully.

7. The Chairman commented that there had already been a very useful discussion on the rules to date and that the decision making section was now largely approved. He went on to add that Mr McCartney's present amendment didn't deal with the decision making issue at this stage but was for a later point in the process. The Chairman said that he now proposed to go through the six pages of the "proposed additions" paper and deal with the amendments at the same time, many of which were replicated against a number of paragraphs. He hoped that everyone who wished to speak would have a chance to do so and once this process had been completed he hoped it would be possible to complete the procedural rules and arrive at some tentative agreement on them.

8. Dr Paisley, referring to the para 10 discussion, indicated that the participants had to come to a decision and that he was not in favour of continually putting off a final decision on the rules. There were a number of occasions, he stated, where long and informal sessions had taken place without agreement but where the issues had been well aired. For his part, however, he believed it was essential that final decisions should be taken on these rules where possible at this stage. The others, such as Mr Mallon, had made a number of comments to this effect already. Mr Mallon although indicating that he had not been fully listening to Dr Paisley's remarks as he had just been handed two further amendments and wondered who these were from. The Chairman indicated that they were from the Governments. Mr Mallon asked for clarification as to whether these were further amendments to the earlier amendments. The Minister of State said that, for the British Government's part, he had listened to the ensuing debate and therefore had produced some different language to try and help the process along. Mr Mallon said that he would leave the matter there for the time being but he wished to retain the right to table any wording at any time as a new amendment which participants might find helpful. Mr Dodds asked whether the new amendment from the Government just distributed superseded the other amendments regarding para 15. The Minister of State commented that it was being put forward simply as a possible way to resolving the points raised previously on para 15. Mr Coveney, for the Irish Government, made the point that the original amendments for para 15 had first appeared in the Chairman's document dated 25 June. He continued saying that the discussions on para 15 at that time gave rise to further considerations which had now resulted in new amendments being distributed now.

9. Dr Paisley said that he now found it somewhat amusing for Mr Mallon to be talking earlier about the seriousness of previous amendments whenever the Governments had just produced a couple more. He, questioned, in a more serious note, how the process was practically going to deal with aligning para 10 with para 13. Dr Paisley made the point that para 10 mentioned "proceeding in parallel". Para 13 indicated discussions were "not to be held simultaneously". He therefore wondered whether the discussions in this context were going to be running one after the other. The Minister of State said that he envisaged there would not be a sequential handling of the strands but that they could be operated in parallel - although not necessarily proceeding simultaneously. From a practical point of view this merely meant that Strand 3 might not necessarily follow Strand 2 and the latter Strand 1. Dr Paisley indicated that in the previous talks process of 1991 it made good sense to have Strand 1 well on its way before Strand 2 could start. He added that one had to be realistic in accepting that the content of Strand 1 would have a considerable bearing on the discussions in Strand 2. He again asked the question as to whether or not Strand 1 and Strand 2 did not need to be operated in a simultaneous mode.

10. The Minister of State commented that some of the parties had previously made representations to the two Governments that each of the Strands could be dealt with within the same time frame. Equally, other representations made to the two Governments indicated some participants' wish that the same negotiating team could be made available for each strand. Dr Paisley, referring to the use of the word "done" by the Minister, indicated that one needed to be careful about this as it might be interpreted as some agreement having been already reached on this issue. The Minister of State said he understood Dr Paisley's point but "done" was

simply a reference to the original rubric in 1991 and to a certain amount of technical work being completed in the process.

Dr Paisley said that he assumed nothing from the last talks was on the table now. Mr Empey asked whether the language in both para 10 and para 13 was not contradictory. He said that participants had a number of views around the table regarding the wider point of how to conduct the present strands based the last process, but it seemed to him that on a liberal interpretation there was a contradiction between both paragraphs and hence Dr Paisley's earlier substantive point was appropriate as a question of clarification.

11. The Chairman clarified the position with regard to both paragraphs. He indicated that proceeding in parallel was not to be regarded as a sequential means of progress. It was also, however, the case that proceeding in parallel was not necessarily interpreted as moving simultaneously for the very reasons of having the same teams operating in each strand. He commented that he would ask his staff to review the language, given the explanation which he had now delivered. The participants agreed with this proposal. Mr Dodds wondered whether it might be more beneficial in bring para 10 and para 13 closer together. He also indicated that the DUP were still unhappy with the words "co-ordination with" in para 13. The Chairman asked for any other comments on para 10. Dr Paisley commented that he believed a short adjournment was required to discuss the content of the new amendments recently distributed around the table. Mr Mallon asked for some advice because he understood that the process had already agreed para 13 of the draft rules and wondered therefore whether para 13 did not stand in its current integrity. The Chairman told Mr Mallon that this was correct. It was, however, para 10 that needed adjustment and the DUP had suggested that both paragraphs perhaps be brought closer

together. Mr Dodds returned to his original point indicating that there was no real point of substance in what he was saying, he was simply trying to improve the clarity of meaning. He continued saying that in terms of actually agreeing the tact at this stage, this simply meant that "a tentative agreement" and that the full agreement from the group and the plenary was still required before the rules themselves became final.

12. The Chairman asked the participants to move on to para 15 and referred to the new Government amendment recently distributed. There were of course other amendments contained in page 5 of the "proposed additions" paper. He said that he would accede to the request for an adjournment from Dr Paisley made a few moments earlier to enable participants to consider all three versions of the paragraph. Mr Coveney for the Irish Government suggested that the adjournment might also deal with para 30 amendments also distributed a few moments earlier. Dr Paisley said that he did not think this was a good idea. The Chairman indicated that para 30 was unlikely to be reached until after the mid afternoon break and it might therefore be useful to review its contents at that time. The Chairman then indicated that he would adjourn the discussions for 20 minutes enabling participants to return at 14.05. The meeting then adjourned at 13.45.

[Signed]

Independent Chairmen Notetakers
2 July 1996

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