

To: Senator George Mitchell

Social Democratic and Labour Party

Responses to Questions on Ground Rules Document

1. Status of Ground Rules Document

The SDLP believes Cm. 3232 (known as the Northern Ireland: Ground Rules for Substantive All-Party Negotiations Document) to be one of an important series of documents forming the background to and basis of these negotiations. It is a key foundation and the authoritative document which sets out, as the 28th February Joint Communique states the two Governments would do following intensive consultations, 'the basis, participation, structure, format and agenda of substantive all-party negotiations'.

The legal status and authority of Cm. 3232 arise from the citation in Section 2(1) of the Northern Ireland (Entry to Negotiations) Act. 1996.

On the clear understanding that Cm3232 provided the Ground Rules for Substantive All-Party Negotiations as cited in the Northern Ireland (Entry to Negotiations) Act. 1996, the SDLP participated in the 30th May elections, has entered the Forum and accepted the invitation to these negotiations

2. How, if at all, is this status affected by the reference to "conduct of negotiations" in Paragraph 7 of the Ground Rules Document

It is the view of the SDLP that the status and authority of the Ground Rules Document as indicated in 1 above, is not affected by the reference to the "conduct of negotiations" in par. 7 of that same document. This reference needs to be read in the context of the paragraph as whole which clearly addresses any possible interaction between the negotiations and the Forum. In this context, it makes the point that only those involved will conduct the negotiations.

Those who interpret the "conduct of the negotiations" to mean the manner in which the negotiations will proceed, confer authority on the Ground Rules which allows participants determine rules of procedure. Such rules have to be consistent with Cm.3232 with respect to the 'the basis, participation, structure, format and agenda' of the negotiations.

3. What are the provisions of the Ground Rules which are fundamental to the process to move it forward ?

The provisions of the Ground Rules Document detail the 'the basis, participation, structure, format and agenda' of the substantive all-party negotiations and *all* are fundamental to the process. In order to move the process forward, the conduct of the negotiations must be consistent with these provisions.