

Office of the Independent Chairmen

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In a letter to me dated 12 September 1997, Dr Ian Paisley, in his capacity as Leader of the Democratic Unionist Part (DUP), asked that Sinn Fein "be disqualified from membership of the Talks Process." (A copy of Dr Paisley's letter, with enclosure, is attached.)

Rule 29 of the Northern Ireland Negotiations Rules of Procedure provides that:

"If, during the negotiations, a formal representation is made to the Independent Chairmen that a participant is no longer entitled to participate on the grounds that they have demonstrably dishonoured the principles of democracy and non-violence as set forth in the Report of 22nd January 1996 of the International Body, this will be circulated by the Chairmen to all participants and will be subject to appropriate action by the Governments, having due regard to the views of the participants."

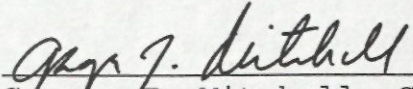
On 23 July 1997, the DUP withdrew from the Talks Process. In his letter of 12 September, apparently anticipating that a question might arise as to whether, having withdrawn from the Talks Process, the DUP is eligible to make a "formal representation" within the meaning of Rule 29, Dr Paisley wrote:

"I note that the Rule does not require the formal representation to be submitted by a participant, either present or past, and accordingly I wish you to regard this communication as a formal representation to have Sinn Fein/IRA expelled from the Talks."

Since these Talks began, I have made it a practice, whenever feasible, to solicit the views of the participants before making important rulings. Thus, on 15 September 1997, at the first plenary session following receipt of Dr Paisley's letter, I asked the parties to provide me with their views on this question. Four of the parties argued that, because it has withdrawn from the Talks, the DUP is ineligible to make a formal representation; the UUP argued to the contrary; the remaining parties as yet have expressed no opinion.

On 16 September, David Trimble, in his capacity as Leader of the Ulster Unionist Party (UUP), wrote to me making a formal representation "that Sinn Fein are no longer eligible to participate." Mr Trimble made clear in his letter that the UUP request was made because of its concern that the earlier DUP request might be "disposed of on a technicality." A copy of Mr Trimble's letter is attached.

In view of the UUP's request, the issue of the DUP standing is moot. The question raised by the DUP is squarely before the participants for discussion pursuant to the UUP request. That will be decided by the Governments in accordance with the Rules of Procedure.


George J. Mitchell, Chairman
September 23, 1997