

THE HIGH COURT

(JUDICIAL REVIEW)

BETWEEN

APPLICANTS

AND

SENATOR GEORGE MITCHELL, GENERAL JOHN DE CHASTELAIN,
PRIME MINISTER HARRI HOLKERI, DR MARJORIE MOWLAM MP

RESPONDENTS

AFFIDAVIT OF RICHARD WALKER

I, RICHARD WALKER, OF DUBLIN CASTLE, DUBLIN 2, AGED 18 YEARS AND UPWARDS, SOLICITOR, MAKE OATH AND SAY AS FOLLOWS.

1. **I am the Solicitor for the first, second and third named Respondents in the above proceedings. I make this affidavit on their behalf and with their full authority. I do so from facts within my own knowledge save where otherwise appears, and where so appearing I depose to the same believing it to be true.**
2. The defendants herein were invited in June 1996 by the Governments of Ireland and the United Kingdom to serve as Independent Chairmen of the multi-party talks in the future of Northern Ireland. The rules of the procedure governing those talks were agreed between the participants in the talks in July 1996, following protracted negotiation between the parties. These rules were designed to regulate the conduct of the negotiations. Those negotiations in turn are intended to achieve a new beginning of relationships within Northern Ireland, within the Island of Ireland and between the people of those islands, and to agree new institutions and structures to take account of the totality of relationships. I beg to refer to the Ground Rules for Substantive All Party Negotiations of April 1996, upon a copy of which marked with the letters 'RW1' I have signed my name prior to the swearing hereof.
3. I believe it clear from the foregoing that the process from which these proceedings arise is a political process, and that the deliberations of the talks are not in any sense designed nor intended to determine or adjudicate upon legal rights or obligations. In particular the rules make it clear that the question of the continued entitlement of a participant to take part in the talks is subject, ultimately to the action of the two governments.
4. On Monday, February 16, 1998, the British Government presented to a meeting of Strand Two of the multiparty talks a Speaking Note by the Secretary of State for Northern Ireland which asked that a plenary session of the multiparty talks be convened to

consider "whether Sinn Fein is any longer entitled to participate in these negotiations.".

5. Under Rule 29 of the Rules of Procedure governing the talks, the Chairman circulated the Speaking Note to the participants during the Strand Two meeting. Following discussion, the Chairman adjourned the Strand Two meeting.
6. On Monday, February 16, the representatives of the Alliance party at the talks indicated that they wished to bring to the plenary session's attention their view that Sinn Fein had demonstrably dishonoured the Mitchell principles.
7. Following consultations with the participants, the Chairmen issued and circulated in writing a Statement to the participants. That statement sets out that the chairmen announced that they would convene a plenary session on Tuesday February 17 at 2.00 p.m.
8. The plenary session duly convened at 2. P.m. on Tuesday February 17. On that date, the Alliance party submitted a written statement setting forth those views expressed orally the previous day.. After a discussion and several adjournments, the plenary session continues, and is still ongoing.

Sworn the day of by the said
at in the County of the City of Dublin before me a
Commissioner for Oaths/Practising Solicitor, for the High Court, and I know
the deponent.

Commissioner for Oaths/
Practising Solicitor

Filed by