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ANNEX A

The status of Ground Rules remains unaffected.

QUESTIONS ASKED BY THE INDEPENDENT CHAIRMAN

1. What about the Ground Rules are fundamental in this process?

Response by the British Government

1. What is the status of the Ground Rules with respect to these negotiations? the basic character and nature of these negotiations is fundamental.

The Ground Rules are the legal descriptor of the character and nature of the negotiations that is necessary as a consequence of the Northern Ireland (Entry to Negotiations, etc) Act. and the continuing commitment of the two Governments to the Ground Rules.

For its part, the Government regards the document as forming a key part of the foundations on which these negotiations rest. The Government, in its approach to these negotiations, remains committed to the Ground Rules.

No outcome is predetermined or excluded in advance by the Ground Rules or limited by anything other than the need for agreement.

2. How, if at all, is that status affected by paragraph 7?

Paragraph 7 recognises that the conduct of the negotiations is exclusively a matter for those involved in the negotiations.

A sensible approach is for those involved to agree a single set of rules of procedure to constitute a complete and self-contained source of reference for the Chairmen in conducting the negotiations. The amendments tabled by both Governments sought to achieve this.

In the event that a procedural difficulty arises which is not covered in the agreed rules of procedure, the Government suggests that the Chairmen should refer the matter in the first instance to the two Governments who, having taken soundings from the other participants, would bring forward a proposal to resolve the issue.

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Response by the Irish Government

The status of Ground Rules remains unaffected.

1. What is the status of the Ground Rules with respect to these

3. What about the Ground Rules are fundamental to this process so that they should have continuing status?

The Ground Rules is the publicly stated basis and parameters of

The status of the Ground Rules as the document of reference which defines the basic character and nature of these process, and negotiations is fundamental.

This is provided for by the reference in Section 2(1) of the Northern Ireland (Entry to Negotiations, etc) Act 1996 and the continuing commitment of the two Governments to the Ground Rules. etc Act.

The Government does not expect or require other participants to endorse or sign up to the Ground Rules. political significance, as the official description, set out publicly in advance of elections, of the basis and parameters of the negotiations to which the elections would lead. Consequently parties contesting that election were entitled to rely on the presumption that this description would remain valid and consistent after the election for which they had offered themselves had taken place.

The Irish Government remain totally committed to the Ground Rules Paper as the basic document of definition and reference for the negotiations.

2. How, if at all, is that status affected by paragraph 7?

The Irish Government believes that the Ground Rules Paper does not preclude and indeed envisages in Paragraph 7, that the negotiators, once at the negotiating table, would agree between themselves rules of procedure for the conduct of the negotiations. These rules are a matter for the participants, but parties who arrived at the table relying on the Ground Rules Paper are entitled to insist that these rules of procedure

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Response by the Irish Government

1. What is the status of the Ground Rules with respect to these negotiations?

The Ground Rules is the publicly stated basis and parameters of the negotiations, which both Governments agreed in the communique of 28 February would follow an elective process, and which are now convened.

In the British legal perspective they are legal descriptor of the character and nature of the negotiations that are necessary as a consequence of the Northern Ireland (Entry to Negotiations, etc) Act.

The Ground Rules Paper also has a political significance, as the official description, set out publicly in advance of elections, of the basis and parameters of the negotiations to which the elections would lead. Consequently parties contesting that election were entitled to rely on the presumption that this description would remain valid and consistent after the election for which they had offered themselves had taken place.

The Irish Government remain totally committed to the Ground Rules Paper as the basic document of definition and reference for the negotiations.

2. How, if at all, is that status affected by paragraph 7?

The Irish Government believes that the Ground Rules Paper does not preclude and indeed envisages in Paragraph 7, that the negotiators, once at the negotiating table, would agree between themselves rules of procedure for the conduct of the negotiations. These rules are a matter for the participants, but parties who arrived at the table relying on the Ground Rules Paper are entitled to insist that these rules of procedure

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should not conflict and should be consistent with the Ground Rules paper whose status remains unaffected by the rules of procedure.

Subject to that consideration, it is a matter for decision by the negotiators whether it is convenient to have a single integrated set of rules for the guidance of Chairmen and participants.

If a matter arose in respect of which any delegation claimed a conflict with the Ground Rules Paper, the Chairman in question would refer the matter to the two Governments.

3. What about the Ground Rules are fundamental to this process so that they should have continuing status?

We believe the Ground Rules Paper essentially seeks to protect the freedom of all negotiators to raise any significant issue of concern to them and to receive a fair hearing for those concerns, without their ability to do so being subject to the veto of any other party in the negotiations. The concept of an open agenda, with no outcome predetermined or excluded in advance, is offered in the Ground Rules as a protection to the position of all participants.

Negotiators are offered the further overarching protection of the ultimate test of democratic referendum in respect of any outcome.

It is important for those who entered the elective and negotiating process on the basis of the reassurances provided in the Ground Rules Paper that it should be maintained during the negotiating process.

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ANNEX B

Proposed amendment to paragraph 15 in the "additions" document:

At the beginning of the second sentence, insert, "Without prejudice to any participant's negotiating position,"

PS/Air John Wheeler (L,B+DFF)-B  
 PS/Michael Andrew (L,B+DENI)-B  
 PS/Dennis Dorton (L,DED+DANI)-B  
 PS/PS (L+B)-B  
 PS/Air David Fell-B  
 Mr Thomas (L+B)-B  
 Mr Bell-B  
 Mr Lodge-B  
 Mr Leach (L+B)-B  
 Mr Steele-B  
 Mr Watkins-B  
 Mr Wood (L+B)-B  
 Mr Boston-B  
 Mr Currie-B  
 Mr Bell (L+B)-B  
 Mr Lavery-B  
 Mr Maccabe-B  
 Mr Perry-B  
 Mr Stephens-B  
 Ms Checksfield-B  
 Miss Harrison (L+B)-B  
 Ms Mapstone-B  
 Mr Whyeall (L+B)-B  
 Ms Collins, Cab Off (via IPL)-B  
 Mr O'Mahony, TAU-B  
 Mr Lamont, RID-B  
 HMA Dublin-B  
 Mr Westmacott, (via RID)-B  
 Mr Campbell-Bannerman-B  
 Mrs McNally (L+B)-B

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 2) Mas McN

DATE: THURSDAY 25 JUNE 1996

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A day when full all-party conferral sessions took over from bilaterals. However, despite the clear wish and intention of the Chairmen and the majority of delegations to examine, paragraph by paragraph, the composite draft Rules of Procedure circulated that morning along with parties' amendments, the day developed into yet

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