

(Note)

FROM: D J R HILL
POLITICAL DEVELOPMENT TEAM
25 JUNE 1996

cc PS/Secretary of State(L+B) -B
PS/Sir John Wheeler(L,B+DFP) -B
PS/Michael Ancram(L,B+DENI) -B
PS/Malcolm Moss(L,DOE+DHSS) -B
PS/Baroness Denton(L,DED+DANI) -B
PS/PUS(L+B) -B
PS/Sir David Fell -B
Mr Thomas(L+B) -B
Mr Bell -B
Mr Legge -B
Mr Leach(L+B) -B
Mr Steele -B
Mr Watkins -B
Mr Wood(L+B) -B
Mr Beeton -B
Mr Currie -B
Mr Hill(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 Whysall(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

Mrs McNally

File Note

TALKS: RULES OF PROCEDURE - 24 JUNE

A long day during which the Irish and the UUP talked but failed to communicate. Attempts by HMG to encourage both sides to understand the other's position led to several attacks of paranoia on the Irish side, directed at British good faith. They eventually came grudgingly to accept that Unionist concerns about paragraph 15 and 15A of the draft rules of procedure we had agreed with them on Thursday were genuine - reflecting political/presentational problems which the wording could cause the UUP vis-a-vis the UK UP and DUP.

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2. They were eventually persuaded to agree to two minor changes and then (at 9.45pm after another hour's struggle) to agree that those should be tabled in the attached paper [the two changes are underlined] setting out proposed amendments to the Chairman's text of 19 June.

3. It had previously been agreed in "Committee" that proposals for amendments would be tabled yesterday evening for circulation in a consolidated form by the Chairman this morning as a basis for round table discussion starting at 10am. With luck this will reduce some of the frustration, felt especially by the smaller parties, and could facilitate agreement on free-standing rules of procedure.

(Signed)

D J R HILL
POLITICAL DEVELOPMENT TEAM
EXT CB 22317

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DRAFT RULES OF PROCEDURE

24 June 9.45pm

Proposed amendments to 19 June 1996 text: Submitted by the British and Irish Governments

Paragraph 2, at end insert:

Strand One will cover relationships within Northern Ireland, including the relationship between any new institutions there and the Westminster Parliament; Strand Two will cover relationships within the island of Ireland; and Strand Three will cover relationships between the British and Irish Governments. Negotiations on Strand One issues will involve the British Government and the political parties.

Negotiations on Strand Three issues will be between the two Governments. Negotiations in all other formats will involve the British and Irish Governments and the political parties.

Paragraph 10, third line, delete "sub-committees established" and insert "committees or sub-committees"; and at end insert "Negotiations in each strand will open on the same day and proceed in parallel."

Before paragraph 12, insert

"The Business Committee will co-ordinate the progress and procedures of the negotiations. It will not deal with the substance of the negotiations but will address unresolved procedural issues. It may also determine the modalities for dealing with any issue which does not fall exclusively within any of the three strands."

Paragraph 13, at end insert "However, unless otherwise agreed by the Business Committee, negotiating sessions in different formats, or within formats, will not be held simultaneously, to allow participants, if they so wish, the option of fielding the same negotiating team throughout the negotiations."

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Paragraph 15, second line, after "adopted" insert "by agreement"; and insert new second sentence: "That agenda will include all the significant items which the individual participants consider relevant and which will, therefore, have to be addressed in the search for agreement. Participants ..."

After paragraph 15 insert two new paragraphs:

- 15A. All participants in the negotiations will take part in good faith, seriously address all aspects of the agreed agenda, and make every effort to reach a comprehensive agreement. They will maintain confidentiality on all aspects of the negotiations except where they may from time to time agree to publicity.
- 15B. Strand One negotiations will take place in Castle Buildings, Belfast. Strand Two negotiations will take place in Belfast, Dublin and London, at times agreed by the Business Committee. The two Governments will determine where Strand Three meetings will take place. The Business Committee shall determine the venue of its own meetings.

After paragraph 17, insert new paragraph:

- 17A. Any participant in the format in question will be free to raise any aspect of the three relationships, including constitutional issues and any other matter which it considers relevant. No outcome is either pre-determined or excluded in advance or limited by anything other than the need for agreement. Participation in negotiations is without prejudice to any participant's commitment to the achievement by exclusively peaceful and democratic means of its own preferred options. It is common ground that any agreement, if it is to command widespread support, will need to give adequate expression to the totality of all three relationships.

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After paragraph 20, insert new paragraph:

- 20A. Participating political parties may only be represented at meetings of the Plenary, or to discuss Strand One, Strand Two or Strand Three issues, by elected delegates. Such delegates may be supported in meetings by researchers or others who are not elected. The numbers of delegates and supporters participating in any one meeting shall be agreed by the Business Committee.

Paragraph 25, third line, delete "point" and insert "proposition"; and delete "of" and insert "that the proposition has been approved by".

After paragraph 28, insert new paragraph:

- 28A. The negotiations will proceed on the principle that nothing will be finally agreed in any format until everything is agreed in the negotiations as a whole. Subject to this principle, it would nevertheless be possible, solely on the basis of consensus among the participants, to proceed on the assumption of contingent agreement on any individual aspect of the negotiations.

Paragraph 30, last line, before "political parties" insert "participating".

Paragraph 32, delete last sentence.

Delete paragraph 33 and insert:

33. In addition, in relation to Strand Three issues, each party, acting independently or in conjunction with others, may, on its initiative or otherwise, confer with either or both Governments in order to consult on issues under discussion and advance its own views, orally or in writing. In response, each Government will explain its own views and take full account of those put to it by the parties.