

2 December 1996

Response of the Irish Government Delegation to Questions tabled by the International Chairmen

We are engaged in a process of political negotiations operating on the basis of consensus or, where this is not attainable, sufficient consensus. We are not acting as a parliament or association.

We believe that participants must have the right to raise significant issues of concern to them and to be given a fair hearing. This right is enshrined in paragraphs 17 and 18 of the Rules of Procedure. We consider that the right to table a motion is covered by these provisions.

However, this right should be exercised with due regard to the overall objective of progress in the negotiations and the commitments entered into by the participants under paragraph 16 of the Rules of Procedure. It should not be used to curtail prematurely, or to hinder, the search for consensus according to the decision-making arrangements for the negotiations set out in paragraphs 30-36 of the Rules of Procedure.

We would draw attention to the distinction between essentially procedural motions (such as a motion to adjourn) which should normally be taken immediately, without extensive debate, and motions on matters of substance, where the timing of the debate on the motion is a matter for consideration by the participants. We believe that debates on substantive motions are likely to be more fruitful if adequate time is allowed for preparation. The responsibility of determining if a motion is procedural or substantive should rest with the Chairman, acting on the basis of paragraph 25 of the Rules of Procedure.

It appears therefore that, while the Rules of Procedure provide the basis for participants to table motions and for these motions to be debated and voted upon, it is necessary to ensure that this right is balanced against (a) the rights of the participants as a whole to have an opportunity to prepare for any discussion of a motion; (b) their ability to conduct their business in good order without undue disruption; and (c) the role of the Chair under paragraphs 30 and 32 of the Rules of Procedure and, in a more general sense, the obligation on the participants collectively to seek the consensus which will enable the participants to advance or conclude the negotiations.

It should be for the participants themselves to determine at what point a motion should be debated in the light of these considerations. In particular, sufficient consensus should be required to suspend ongoing consideration of an item in the negotiations in order to debate a substantive motion. We note that under paragraph 19 of the Rules of Procedure the agenda for each meeting of the negotiations is determined by the participants on the basis of proposals put forward by the Chairman.

As regards amendments, once a motion has been tabled, amendments to the motion and amendments to those amendments may also be tabled. Primary amendments should be voted on in the order in which they are tabled. Secondary amendments should be voted on before the primary amendment to which they refer. The motion, as amended, should be put to the vote when all amendments have been voted upon.