

Proposed Additions to the Draft Rules of Procedure (27 June 1996)

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Legend:

*Compromise language proposed by participants*  
*Additional amendments proposed 26 June*

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**British and Irish Governments**

2. Negotiations will be organised so that issues are discussed in the following formats:

- Plenary;
- Strand One;
- Strand Two;
- Strand Three; and,
- a Business Committee. (3)

*Strand One will cover the 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.*

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**Sequence of the Negotiations**

10. Following the conclusion of the Opening Plenary, the appropriate Chairmen will convene meetings of the negotiations within the three strands and any committees or sub-committees *established* subject to co-ordination with the Business Committee. *Negotiations in each strand will open on the same day and proceed in parallel.* (7, 15)

Conduct of the Proceedings

15. Participants will negotiate in the various formats, committees and sub-committees, on the basis of the comprehensive agenda for the negotiations as a whole, adopted by agreement in the Opening Plenary, as it relates to their area of competence. ***Without prejudice to any participant's negotiating position, 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 may, by agreement, develop or refine it.***  
(18)

N.B. The language in bold type represents a further amendment by the Governments to paragraph 15.

- 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.*
- 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 means of its 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.*

N.B. Paragraph 17A, above, relates to the first of the UUP's proposed amendments which are set forth at page 5, below.

- 20A. *Participating political parties may only be represented at formal 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.*



- 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.*
30. The British Government, as Chairman of Strand One, will keep the Irish Government informed of the progress achieved in Strand One, through liaison arrangements agreed between the two Governments following consultation with the *participating* political parties.
32. To this end, the two Governments will convene regular meetings involving up to three members of the negotiating team of each political party. Such meetings will be co-chaired by the two Governments. ~~The two Governments will also meet negotiating teams at their request, either separately or together.~~ (30)
33. ~~It will be open to the parties to submit their own views, either orally or in writing, both on issues under discussion in Strand Three or on any other issue appropriate to Strand Three which the parties may wish to raise. Any response that may be given by the two Governments will be given jointly.~~ 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. (31)

#### Democratic Unionist Party (DUP)

Amendments Proposed to the Draft Rules of Procedure (19 June 1996):

Language reflecting paragraphs 21 and 22 from the DUP submission:

- DU21 *For the duration of the process, Chairpersons will not be expected to make any public comment. However, should the need arise they shall obtain the approval of the heads of participating Delegations before doing so.*
- DU22 *The role and function of the Independent Chairpersons shall not extend beyond that set out in these rules of procedure.*

**Democratic Unionist Party (DUP) and U.K. Unionist Party (UKUP)**

- DU.1 *The negotiations to which these rules of procedure refer and whose conduct they are intended to govern are those referred to in Section 2(1) of the Northern Ireland (Entry to Negotiations etc.) Act 1996 (hereafter referred to as the "Act").*
- DU.2 *The teams of delegates participating in such negotiations shall be those who from time to time comply with the requirements of Section 2(3) of the Act, as defined in paragraphs 8 and 9 of Command Paper 3232.*
- DU.3 *Command Paper 3232 save in so far as it identifies the negotiations to which these rules of procedure will apply (paragraph 1) and the requirements with which the respective negotiations teams must comply in order to participate (paragraphs 8 and 9) shall have no force or binding effect upon the negotiations nor shall it offer any limitations upon it as a body determining its own rules of procedure for the conduct of the negotiations and the extent of their subject matter.*
- DU.4 *The duties, functions and powers of any chairperson will be only such as are granted to him by these rules of procedure as determined by the teams of delegates participating in the negotiations acting as a body in accordance with these rules of procedure only and any duties, functions or powers purported to be given to any chairperson by the papers dated 6 June 1996 (Scenario for the Opening Plenary, Procedural Guidelines for the Conduct of All Party Negotiations and Draft Agenda for Substantive All Party Talks), or in any other documents shall be of no force or effect save in so far as any of them may be incorporated into these rules of procedure in accordance with such procedure for obtaining the necessary agreement of the parties for so doing.*

N.B. Paragraph DU.4, above, relates to paragraphs 5 through 9 of the Draft Rules of Procedure (27 June 1996).



### Northern Ireland Women's Coalition

15. *The negotiations* in the various formats, committees and sub-committees *will be*, on the basis of the comprehensive agenda for the negotiations as a whole, adopted by agreement in the Opening Plenary, as it relates to their area of competence. They may, by agreement, develop or refine it.

### Social Democratic and Labour Party (SDLP)

1. These rules of procedure are adopted for the substantive all-party negotiations and can only be amended by agreement, in accordance with the decision-making process outlined in paragraphs 23 through 28. *In the event of any conflict of interpretation arising between the following rules of procedure and the Ground Rules Document (Cm. 3232) the relevant Chairman shall take the Ground Rules Document to be the authoritative text.*

### Ulster Democratic Party

15. Participants will negotiate in the various formats, committees and sub-committees, on the basis of the comprehensive agenda for the negotiations as a whole, adopted by agreement in the Opening Plenary, as it relates to their area of competence. *That agenda will, by agreement, include all the significant items which the participants consider relevant and which will, therefore, have to be addressed in the search for agreement. Participants may, by agreement, develop or refine it.*

N.B. Paragraph 15, above, relates to paragraph 15 proposed by the Governments, which is set forth on page 2 above.

### Ulster Unionist Party (UUP)

- A) Amendments Proposed to the Draft Rules of Procedure (19 June 1996):

*Paragraphs 10, 11 and 17 of the Ground Rules:*

- GR10 *There will be no limit on the overall size of the negotiating teams of the political parties and the two Governments.... However, for any one meeting, unless there is agreement otherwise, participation will generally be limited to teams of three, plus three in support (five in support in the case of the two Governments).*

GR11 *The negotiating team of each political party will be designated by the party leader from among the elected representatives. Those teams may be supported in meetings by researchers and others who are not elected.*

GR17 *If, during the negotiations, any party demonstrably dishonoured its commitment to the principles of democracy and non-violence set out in the report of the International Body by, for example, resorting to force or threatening to use force to influence the course or the outcome of the negotiations, or failing to oppose the efforts of others to do so, it would no longer be entitled to participate in the negotiations.*

B) Language Proposed Subsequently

UU.1 *The procedures and substance of the negotiations will be exclusively a matter for those involved. No outcome from this process can either be predetermined or excluded and the only limitation placed upon it will be the mechanisms for agreement arrived at in accordance with paragraphs 23 to 28.*

N.B. Paragraph UU.1, above, relates to paragraph 17A proposed by the Governments which is set forth on page 2 above.

UU.2 *The duties, functions and powers of the chairmen will be such as are determined by the participants.*

N.B. Paragraph UU.2, above, relates to paragraphs 5 through 9 of the Draft Rules of Procedure (17 June 1996).