

## Alliance Party Submission on Procedures.

June 14th, 1996.

These negotiations are a matter of the utmost seriousness. They are convened on the basis of the Northern Ireland (Entry to Negotiations etc.) Act, Her Majesty's Command Paper 'Ground Rules for Substantive All-Party Negotiations', issued in April 1996, and the invitations and accompanying papers issued by the Secretary of State for Northern Ireland and the Irish Minister for Foreign Affairs on June 6th. The Command Paper defines the purpose of the negotiations as being "to achieve a new beginning for relationships within Northern Ireland within the island of Ireland, and between the people of these islands, and to agree new institutions and structures to take account of the totality of relationships". All those parties taking part must by their attendance be taken to accept that purpose and to commit themselves to genuine and sincere efforts to resolve differences and reach agreement.

This body so established is not a debating club, a parliament, or a court of law. It is a negotiation body, and its procedures must be appropriate to a negotiating body. They must be such as to facilitate the exploration of differing positions, the development of common ground, and the achievement of agreement. The essential requirements of any procedural guidelines must be that they provide for the fair expression of differing views and that they serve to promote and facilitate the achievement of the widest possible agreement.

We do not propose to submit a detailed set of standing orders. Indeed we doubt that any overly complex procedural rules are necessary. The purpose of any guidelines must be to minimise delay and avoid unnecessary argument on subsidiary issues, rather than to provide a pretext for time wasting and legalistic wrangling. We find it more helpful

at this stage to concentrate on the essential requirements and principles which in our view must form the basis for our work and for any procedural guidelines. They are as follows:

1. All delegations must have a fair opportunity to express their views and to be heard by others.
2. The chairman must have sufficient powers to maintain order and to ensure the efficient use of time.
3. The chairman must be able to play a positive role and must have the capacity to initiate proposals or contacts within the negotiations at his discretion.
4. The widest possible agreement must be sought, within the context that it is the people of Northern Ireland who will finally, by referendum, decide on the acceptability or otherwise of proposals emerging from this process. Procedures must allow for the possibility of proposals emerging from the process which have sufficiently broad support to deserve being put to referendum even though they do not command the unanimous backing of all the groups taking part in the negotiations.

#### Sufficient Consensus.

Point 4 above deserves further elaboration. We noted in our paper "Let the People have their Say", published in November 1995, that a mechanism for establishing 'sufficient consensus' on the South African model would need to be identified for this process. This would apply when there was a significant measure of agreement but unanimity could not be achieved. The mechanism we envisage would be that, when all reasonable efforts to reach unanimous agreement had failed, and when in the chairman's view no further argument was likely to achieve unanimous agreement, he would have the discretion to rule the matter agreed by



sufficient consensus. The measure of agreement necessary before such a step could be taken would have to be such as to indicate significant support across the community. An appropriate measure would be that 'sufficient consensus' could be considered to exist when a proposition had the support of a distinct majority of those delegation taking part (weighted in proportion to their share of the overall vote in the May 30th election) and also had the support of a majority on the unionist side and a majority on the nationalist side (again on the basis of votes cast in the May 30th election).

#### Existing models.

We consider that the Guidelines included with the invitation issued by the Secretary of State and the Irish Foreign Minister adequately meet our requirements, but we are willing to consider other proposals which might satisfy those requirements.