

DT.

Proposed Additions to the Draft Rules of Procedure (25 June 1996)

Legend:

Proposed compromise language

Proposed deletions

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.

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) ||

Business Committee

- 11A. *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.*

13. The Business Committee shall establish and maintain an indicative calendar for the negotiations as a whole and within the various formats. The timing and duration of meetings in the various formats shall be determined by the relevant Chairman, having due regard to the views of the participants, in accordance with this calendar. 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. (19)

merge into
11A w/o
calendar

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. *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)

- 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.*

- 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.*

in 26 Mar 91

N.B. The above relates to the first of the UUP's proposed amendments, 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.*
25. If, after the participants have considered any further proposals arising from one or more of the courses of action set out above, there is no unanimity on a particular *proposition*, the Chairman may propose that negotiations proceed on the basis *that the proposition has been approved* by sufficient consensus, as defined in paragraph 27. (23) ✓
- 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)

Changes
GR.

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 Clause 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 Clause 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. The above paragraph relates to paragraphs 5 through 9 of the Chairman's Text.

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 Unionist Party (UUP)

- 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. The above relates to paragraph 17A of the British Government's proposed amendments, above.

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

N.B. The above relates to paragraphs 5 through 9 of the Chairman's Text.