

Confidential

Summary Report (26 June 1996)

1. There were three main sessions of the informal consultations today. The Government delegation (led by Minister Coveney) met the Chairman and the British Government and also had informal contact with other delegations.
2. A detailed discussion of the remaining amendments proposed for the rules of procedure paper took this document closer to completion. Elements for a possible understanding on the status of the ground-rules are being worked on in parallel.
3. The informal consultations will resume at 11am tomorrow and continue till 3pm. Delegations will receive at 9.30am a revised draft of the rules of procedure, to be prepared by the Chairman overnight in the light of the changes agreed today and yesterday.
4. The Chairman has also promised a paper presenting conclusions from the submissions on the status of the ground-rules which participants furnished this afternoon in response to three questions which he posed on this subject yesterday.
5. The position reached at the conclusion of today's discussion of the proposed amendments to the draft rules of procedure is that the major outstanding points in the text (including the question of "sufficient consensus" and the venues) have been resolved and a total of 23 paragraphs finalised. Some fourteen paragraphs remain to be resolved. They include a number of points on which the DUP and the UKUP have placed reserves pending the overall outcome in respect of their amendments. The UUP have agreed not to press a number of their own amendments.
6. As for the status of the ground-rules, the Government delegation submitted a written response this afternoon to the Chairman's three questions. In summary, we described the ground-rules as the publicly stated basis and parameters of the negotiations, having both a legal significance (as the legal descriptor, in the British perspective, of the character and nature of the negotiations) and a political significance (as the official description on which parties contested the election and which they are entitled to regard as of continuing validity for the duration of the negotiations). We suggested that, in accordance with paragraph 7 of the ground-rules, it is a matter of decision whether it is convenient to have a single integrated set of rules for the guidance of Chairmen and participants. We underlined the key protection in the ground-rules for the freedom of all negotiators to raise any significant issue of concern to them and to receive a fair hearing for those concerns.
7. The British Government had no difficulty with our presentation and followed similar lines in their own response.

8. In informal contact with the Chairman and the British Government, we have suggested the lines of a possible finding from this exercise. The Chairman might identify, on the one hand, the firm commitment of the two Governments to the ground-rules and, on the other, differing views among the parties. He might recognise as common ground that the conduct of the negotiations would be in accordance with rules of procedure drawn up by those involved. A possibility would be to draft such rules so as to provide a single document which would be sufficient to allow the Chairmen to conduct meetings, without prejudice to the view of any delegation on the ground-rules.
9. The British Government have indicated support for this line. It is to be discussed at a meeting tomorrow morning between the two Governments and the Chairman, after which the latter would like the Governments to undertake discreet lobbying in its favour with, respectively, the SDLP and the Unionists. He would hope to be in a position to present a paper at the outset of tomorrow's consultations which would effectively have been agreed with the key delegations.
10. The negotiating atmosphere today was slightly more relaxed than hitherto. Paisley indulged in some light-hearted banter about luncheon and other arrangements for tomorrow.
11. He also gave a rumbustious performance on the question of liaison with the Irish Government in relation to Strand One. He insisted that the British Government (who had "fed minutes of the 1992 talks to the IRA/Sinn Fein") could not be trusted to hand over relevant papers to us other than in the presence of the parties. Robinson suggested that the liaison arrangements should be agreed "among the participants in Strand One" rather than "between the two Governments", to which we responded by asking if the DUP would accept a similar arrangement in respect of Strand Three.
12. Robinson asked the two Governments whether they would agree that issues such as Articles 2 and 3 and the Anglo-Irish Agreement could be dealt with in Strand Two rather than in Strand Three. Both Government delegations made clear that, in the interest of an inclusive agenda, we would be open to discussion of such matters in either strand.

David Donoghue
26 June 1996