

17 July 1996

Key Paragraphs: SDLP and UUP

SDLP Proposal	UUP Proposals	Comments
	(UK 1) The negotiations to which these rules of procedure refer and whose conduct they are intended to govern are, as provided for by Section 2(1) of the Northern Ireland (Entry to Negotiations, etc) Act 1996, the negotiations referred to in Command Paper 3232 (Ground Rules for Substantive All Party Negotiations) published on 16 April 1996.	UUP: Proposed omission as indicated (strike-through text). SDLP: Have indicated a willingness to withdraw their proposed para. 1 if UK-proposed language is retained, presumably in its entirety.
	(UK 1A) The conduct proceedings and outcome of these negotiations is exclusively a matter for those involved in the negotiations. These rules of procedure are adopted for that purpose as the single set of rules of procedure for the conduct of the negotiations. These rules can only be amended by agreement, in accordance with the decision-making process outlined in paragraphs 23 through 28, following discussion in the Business Committee.	UUP: Proposed omission and additions as indicated (strike-through text and italics, respectively). UUP: Areas of disagreement: "New para. 17A - Place in brackets not agreed. Suggested new wording: 'The proceedings and outcome of the negotiations will be exclusively a matter for the relevant participants'." Now: It is unclear from the
	outcome is either predetermined 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	UUP: There is a small problem with the Government's wording of para. 7, by leaving out the word "solely", but, if other things were resolved satisfactorily, the omission of this word could not prove a major difficulty. SDLP paper makes no reference to para. 7.
(15A) All participants in the negotiations will negotiate 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.	(15A) All participants in the negotiations will negotiate 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 publicity (sic).	UUP: "These paragraphs (15-17) have been re-ordered and in some cases amended. The general order is agreed with the SDLP. The old paragraph numbers are in pencil in brackets. Our proposals are enclosed." UUP: Areas of disagreement: Slight change of wording in new para 15A.

Legend: **Boldface** indicate differences between the SDLP and UUP texts.

SDLP Proposals	UUP Proposals	Comments
<p>(15) The negotiations in the various formats, committees and sub-committees, will be on the basis of a comprehensive agenda for the negotiations as a whole, adopted by agreement, in the opening plenary, as it relates to the participants' area of competence. Without prejudice to any participants' negotiating position that agenda will be such as to enable each participant to raise any significant issue of concern to them and without their ability to do so being subject to any veto of any other party in the negotiations. Participants may, by agreement, develop or refine the comprehensive agenda.</p>	<p>(15) The negotiations in the various formats, committees and sub-committees, will be on the basis of a comprehensive agenda for the negotiations as a whole, adopted by agreement by the relevant participants in the opening plenary, as it relates to the participants' area of competence. Participants may, by agreement, develop or refine the comprehensive agenda.</p>	<p>UUP: Areas of disagreement: New para 15, we have excluded the sentence, "Without prejudice...in the negotiations". We would like this sentence dropped, but the SDLP were in the alternative (sic) to produce a new wording.</p> <p>SDLP language is identical to that proposed by the British Government.</p>
<p>(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. The procedures and outcome of the negotiations will be exclusively a matter for the relevant participants. No outcome is either predetermined or excluded in advance or limited by anything other than the need for agreement. Participation in negotiations is without prejudice to any participants' 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.</p>	<p>(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. (The procedures and substance of the negotiations will be exclusively a matter for the relevant participants). No outcome is either predetermined 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.</p>	<p>UUP: Areas of disagreement: "New para. 17A - Piece in brackets not agreed. Suggested new wording: 'The proceedings and outcome of the negotiations will be exclusively a matter for the relevant participants'."</p> <p>(Note: It is unclear from the UUP note who is proposing the new language referred to, i.e. whether the new wording in question is proposed by the SDLP or the UUP. The language corresponds with that included in the SDLP paper).</p>

SDLP Proposals	UUP Proposals	Comments
(17) The agenda for each meeting of the negotiations shall be settled by the participants on the basis of proposals put forward by the Chairman in accordance with the overall agenda in the relevant format, and taking into account the indicative calendar and the advice of the Business Committee.	(17) The agenda for each meeting of the negotiations shall be settled by the participants on the basis of proposals put forward by the Chairman in accordance with the overall agenda in the relevant format, and taking into account the advice of the Business Committee.	SDLP paper retains the language of the 03 July Composite Draft. UUP paper omits "the indicative calendar and" (boldface in SDLP column).
(16) The relevant Chairman will have responsibility for convening, re-scheduling and adjourning meetings, having due regard to the views of the Business Committee or, as appropriate, of the relevant participants. It is understood, however, that any delegation may request an adjournment of up to 20 minutes at a time and the Chairman shall refuse such requests only if they are made with unreasonable frequency.	(16) The relevant Chairman will have responsibility for convening, re-scheduling and adjourning meetings, having due regard to the views of the Business Committee or, as appropriate, of the relevant participants. It is understood, however, that any delegation may request an adjournment of up to 20 minutes at a time and the Chairman shall refuse such requests only if they are made with unreasonable frequency.	No differences noted. SDLP: Text unchanged from 03 July Composite Draft. SDLP: Text unchanged from 03 July Composite Draft.
(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.	(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.	No differences noted. SDLP: Text unchanged from 03 July Composite Draft. SDLP: Text unchanged from 03 July Composite Draft.
(15C) The negotiations shall normally occur only on Mondays, Tuesday and Wednesdays.	(15C) The negotiations shall normally occur only on Mondays, Tuesdays and Wednesdays.	No differences noted.

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(18) Where any negotiating teams does not attend at a previously agreed time and fails to provide notice of their inability to attend, the Chairman of that meeting and the remaining participants may proceed to conduct the meeting in the absence of that team of teams. If a delegation should withdraw temporarily or permanently from any aspect of the negotiations, the Chairman and the remaining participants will be free to proceed with business with the remaining participants, notwithstanding such withdrawal.	UUP Proposed alternative wording:	SDLP: Text unchanged from 03 July Composite Draft.
(19) All remarks shall be addressed through the Chairman, who may time-limit interventions at his discretion.	UUP Proposed alternative wording:	SDLP: Text unchanged from 03 July Composite Draft.
(20) The Chairman's ruling on individual procedural matters shall be binding. In arriving at such rulings, the Chairman may apply the rules for determining sufficient consensus set out in paragraphs 23 through 28.	UUP Proposed alternative wording:	SDLP: Text unchanged from 03 July Composite Draft.
(21) The Chairman may at any time seek a meeting or accede to a request for a meeting with any participating delegation or group of delegations.	UUP Proposed alternative wording:	SDLP: Text unchanged from 03 July Composite Draft.
(22) Any written submissions which may be received from other groups or individuals will have no status.	UUP Proposed alternative wording:	SDLP: Text unchanged from 03 July Composite Draft.

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<p>17 July 1998</p>	<p>(UK-amended GR17) If, during the negotiations, a formal representation is made that a participant is no longer entitled to participate in the negotiations on the grounds that they have demonstrably dishonoured the principles of democracy and non violence, the Independent Chairmen will refer this representation to the two Governments for their consideration and, having due regard to the views of the participants, appropriate action.</p> <p>UUP Proposed alternative wording: If, during the negotiations, a formal representation is made that a participant is no longer entitled to participate in the negotiations on the grounds that they have demonstrably dishonoured the principles of democracy and non violence, 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, the Independent Chairmen will refer this representation to the British Government for their consideration, and having due regard to the views of the participants, appropriate action.</p>	<p>Secretary of State (B&L) - B John Wheeler (B&L) - B Michael Ancram (B&L) - B (B&L) - B David Fell - B Steele - B Thomas (B&L) - B Wiggins - B Hill - B Lavery - B Stephens - B Caine - B Harty - B</p> <p>TO SENATOR SPICER</p> <p>Session of 16 July which of the security situation, to provide information Chairmen. The Minister and Richard Lowen's</p>

The Minister has carefully considered your advice and is content with your suggested course of action ie further advice will be forwarded when the Talks resume, reflecting the current status on both the security and political situations.

(SIGNED)

B B WILKINSON
Private Secretary

2008/01311/LB