

Rules of Procedure – 29 July 1996

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 published on 16 April 1996.
2. The conduct and outcome of these negotiations is exclusively a matter for those involved in the negotiations. These rules of procedure are adopted as the single set of rules governing the conduct of the negotiations. These rules can only be amended by agreement, in accordance with the decision-making process outlined in paragraphs 30 through 35, following discussion in the Business Committee.

Structure of Negotiations

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

- Plenary;
- Strand One;
- Strand Two;
- Strand Three; and
- a Business Committee.

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.

4. The British Government will chair Strand One of the negotiations and the British and Irish Governments will jointly chair Strand Three. Senator George Mitchell, General John de Chastelain and Prime Minister Harri Holkeri will chair the various aspects of the negotiations which require independent chairmanship, as follows:

Senator Mitchell (Plenary):

- General de Chastelain (Strand Two and the Business Committee); and
 - Prime Minister Holkeri (Alternate Chairman for the Plenary, Strand Two and the Business Committee).
5. Where appropriate, other committees and sub-committees of the negotiations may be established among the participants in the format to which the sub-group relates. Committees and sub-committees shall be chaired by the relevant Chairman or, by agreement among the participants in that format, by a person nominated by the Chairman.

Role and Responsibility of Chairmen

6. The Designated Chairmen shall preside over all the business of the negotiations and will exercise their functions impartially at all times.

7. The Chairmen will moderate in all meetings to allow an opportunity for full discussion of issues on the agenda, guided by the aim of securing agreement of as broad a spectrum of participation as is possible, and doing so as expeditiously and efficiently as possible.

8. In their conduct of these proceedings, all Chairmen will be governed by these rules of procedure, having due regard to the views of the Business Committee on the arrangements of business and the exercise of their functions.

9. The Chairmen will be bound by the same requirement for confidentiality as the participants.

10. The Chairmen may bring forward specific suggestions if it is regarded as helpful by the relevant delegations.

Sequence of the Negotiations

11. 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 subject to their having regard to the views of the Business Committee. Negotiations in each strand will open on the same day and proceed in parallel, consistent with the provisions of paragraph 14.

12. The Independent Chairman of the Plenary may convene further meetings of the Plenary if he con-

siders such meetings to be necessary in the light of developments across the negotiations as a whole. He shall, in addition, convene further plenary meetings at the request of the Business Committee.

Business Committee

13. The Business Committee shall comprise up to two representatives of each participating delegation. It 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.

14. 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. 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.

15. The Business Committee will be available to advise the Chairmen on the day-to-day exercise of their responsibilities and to facilitate communication between participating delegations and the Chairmen.

Conduct of the Proceedings

16. 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.

17. 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 participant's negotiating position, each participant will be able to raise any significant issue of concern to them

and receive a fair hearing for those concerns without their ability to do so being subject to the veto of any other party in the negotiations. Participants may, by agreement, develop or refine the comprehensive agenda.

18. 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 conduct and outcome of the negotiations will be exclusively a matter for the relevant participants. No negotiated 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 a 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.

19. 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.

20. 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.

21. 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.