

FROM: D A LAVERY
CENT SEC

cc Mr Hill
Mr Jagelman

19 SEPTEMBER 1996

1. This document sets out the conclusions of the Governments on the formal representations made by the Alliance Party to the Independent Chairman that the DUP, SDP, FUP and UUP are in breach of the Mitchell principles.

Background: the Rules and Principles, and procedures followed

Mr Whysall (B&L)

2. The procedure to be followed is set out in rule 24 of the Rules of Procedure for the negotiations agreed on 29 July:

ALLIANCE COMPLAINTS

1. I am attaching the standard first 3 paragraphs of the Governments' Conclusions on the Alliance complaints.

2. If you have time, you might try to work-up a first draft of the next few paragraphs summarising the complaints and the other parties' responses to these.

3. I have today circulated a further draft of the skeleton judgment which will eventually be folded into the Conclusions once we have received the Irish Attorney's comments.

(signed: DAL)

D A LAVERY

DL/LM/1229

[Draft: 19/9/96]

**CONCLUSIONS OF THE GOVERNMENTS ON REPRESENTATIONS
MADE BY THE ALLIANCE PARTY AGAINST THE UUP, DUP, PUP AND THE UDP**

1. This document sets out the conclusions of the Governments on the formal representations made by the Alliance Party to the Independent Chairmen that the UUP, DUP, PUP and UDP are in breach of the Mitchell principles.

Background: the Rules and Principles, and procedures followed

Rule 29

2. The procedure to be followed is set out in rule 29 of the rules of procedure for the negotiations agreed on 29 July:

If, during the negotiations, a formal representation is made to the Independent Chairmen that a participant is no longer entitled to participate on the grounds that they have demonstrably dishonoured the principles of democracy and non-violence as set forth in the Report of 22 January 1996 of the International Body, this will be circulated by the Chairmen to all participants and will be subject to appropriate action by the Governments, having due regard to the views of the participants.

The Mitchell Principles

3. The relevant passage of the International Body's report reads:
 20. Accordingly, we recommend that the parties to such negotiations affirm their total and absolute commitment:
 - (a) To democratic and exclusively peaceful means of resolving political issues;
 - (b) To the total disarmament of all paramilitary organisations;
 - (c) To agree that such disarmament must be verifiable to the satisfaction of an independent commission;
 - (d) To renounce for themselves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or outcome of all-party negotiations;
 - (e) To agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree; and
 - (f) To urge that "punishment" killings and beatings stop and to take effective steps to prevent such actions.