

**DRAFT RECORD OF OPENING PLENARY SESSION - MONDAY 29 JULY 1996
(10.07)**

Those present:

Independent Chairmen	Government Teams	Parties
Senator Mitchell	British Government	Alliance Party
General de Chastelain	Irish Government	Labour Party
Mr Holkeri		Northern Ireland Women's Coalition
		Progressive Unionist Party
		Social Democratic and Labour Party
		Ulster Democratic Party
		Ulster Democratic Unionist Party
		United Kingdom Unionist Party
		Ulster Unionist Party

1. The Chairman said that the initial agenda items for the meeting had been established by the unanimous agreement of the participants in previous informal discussions. He therefore proposed to deal with the adoption of paragraphs 30-36 of the rules of procedure concerning the powers of decision making. Hearing no objections to this proposal the Chairman stated that those paragraphs would now be adopted to govern the decision making process in the negotiations and would be used henceforth.

2. The Chairman said he now proposed to deal with those amendments submitted on the rules of procedure. There were nine from the DUP and two from the UKUP and each would be time limited as already agreed; five minutes for each of the DUP amendments and five minutes for the first UKUP amendment. Thirty minutes would be allowed for the second UKUP amendment. The Chairman reminded participants that it had already been agreed that there would be three minutes for the proposer of each amendment and two minutes for those who wished to speak in opposition. The Chairman indicated that there would be twenty minutes allocated to the proposer of the second UKUP amendment with ten minutes for anyone speaking in opposition. This was agreed without objection.

3. The DUP asked the Chairman whether he proposed to call the votes on the amendment and then put the actual rule up for adoption by the meeting. The Chairman said that at the end of each amendment he would call a vote to be signalled by a show of hands in support. He would then name each party who supported a particular proposition. The Chairman said that he proposed to take all amendments in order and then vote on the complete rules as amended or otherwise.

3. The DUP and UKUP stated that the best way of proceeding might be to adopt a rule automatically once a particular amendment was completed for if an amendment was voted down it was not the position that the rule stood automatically. The rule would have to be specifically approved by the participants. The SDLP stated that after all of the amendments were dealt with individually there should be a collective affirmation of the particular rules. The Chairman stated that an overall affirmation of the rules was required and he asked the UKUP to which rule did their second amendment relate. The UKUP said that they wished to come back to this particular point as more time was needed to consider the question. The Chairman then noted that particular amendments by both the UKUP and the DUP affected the same rules so the adoption of such rules could only be considered after both sets of amendments were considered. This point related to rules 3 and 29 in particular.

4. The Chairman then proceeded to deal with the DUP amendment No 1 dealing with rule 1. The DUP spoke in support of the amendment. The British Government spoke against it. The Chairman then asked the parties for a declaration of support for the DUP amendment. Support was indicated by the DUP, the UKUP, the UUP and the UDP. The Chairman stated that there wasn't sufficient consensus for this amendment and the amendment was declared lost. Rule 1 was then voted upon and supported by the British Government, the Irish Government, the Alliance Party, Labour, NI

Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman declared the rule adopted.

5. The DUP spoke in support of amendment No 2 on rule 2. No-one spoke in opposition to the amendment. Support for the amendment came from the DUP, the UKUP and the UUP. The Chairman said that there was not sufficient consensus for adoption of the amendment. Rule 2 was then voted upon and supported by the British Government, the Irish Government, the Alliance party, Labour, NI Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman accordingly declared that rule 2 was adopted.

6. The DUP said that they proposed to take amendments dealing with rules 3, 12 and 28 together. These related to DUP amendments Nos 3, 5 and 8. No-one spoke in opposition to these amendments. Support for these amendments came from the DUP and the UKUP. The Chairman declared that there wasn't sufficient consensus for adoption of the rule. He also said that paragraph 3 was covered by the UKUP amendment so rule 3 could not be put to the meeting for adoption now. A vote was however taken on rules 12 and 28. Those supporting the adoption of these rules were the British Government, Irish Government, the Alliance Party, Labour, NI Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman accordingly declared that rules 12 and 28 were adopted.

7. The DUP spoke in support of amendment No 4 on rule 4. No-one spoke in opposition to the amendment. Support for the amendment came from the DUP and the UKUP. The Chairman said that there wasn't sufficient consensus to adopt the amendment. He then put the adoption of rule 4 to the meeting and this was supported by the British Government, the Irish Government, the Alliance party, Labour, the NI Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman accordingly declared rule 4 adopted.

8. The DUP again spoke in support of amendment No 6 in relation to rule 16. No-one spoke in opposition to the amendment. Support

for the amendment came from the DUP, the UKUP and the UUP. The Chairman said that there wasn't sufficient consensus to adopt this amendment. He then put the question of the adoption of rule 16 to the meeting and it was supported by the British Government, the Irish Government, the Alliance Party, Labour, NI Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman accordingly declared rule 16 adopted.

9. The DUP spoke in support of amendment No 7 in relation to rule 18. No-one spoke in opposition to the amendment. Support for the amendment came from the DUP, the UKUP and the UUP. The Chairman declared that there wasn't sufficient consensus to adopt this amendment. He then put rule 18 to the meeting and it was supported by the British Government, the Irish Government, the Alliance Party, Labour, the NI Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman accordingly declared rule 18 adopted.

10. The DUP spoke in support of amendment No 9 in relation to rule 19. No-one spoke in opposition to the amendment. Support for the amendment came from the PUP, the DUP, the UKUP and the UUP. The Chairman declared that there wasn't sufficient consensus for adoption of the rule. He also stated that he would not present the question of the adoption of the rule itself because there was a UKUP amendment to the same rule. The Chairman then proceeded to deal with the UKUP amendments. He said the first amendment dealt with six different rules. At this point the UKUP stated that this amendment would be withdrawn. The Chairman then said that he would proceed to deal with the adoption of rule 3 which had already been touched on. Support for rule 3 came from the British Government, Irish Government, the Alliance Party, Labour, the NI Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman then said that there was sufficient consensus for rule 3 and declared it adopted.

11. The UKUP spoke in support of the second amendment. The British Government spoke against the amendment. Support for the amendment came from the DUP, the UKUP and the UUP. The Chairman said that there wasn't sufficient consensus for its adoption. Rule 29 was then put to the meeting. It was supported by the British Government, the Irish Government, the Alliance party, Labour, the NI Women's Coalition, the PUP, the SDLP, the UDP and the UUP. The Chairman accordingly declared rule 29 adopted.

11. The Chairman then proceeded to the adoption of the remaining rules of procedure. These were adopted unanimously at 10.40. The Chairman said that his staff would prepare a final version of the rules dated that day for distribution to the parties as soon as possible.

12. The DUP intervened to say that its ongoing participation in the negotiating process was based on the understanding that the provisions of the Ground Rules document published on 16 April 1996:

1. did not govern the process;
2. did not have any continuing application beyond the three paragraphs referred to in the 1996 Entry to Negotiations Act, viz paragraphs 8, 9 and 17, and
3. did not have any binding effect on the delegations as participants.

The DUP also stated that while a hearing would be given to each participant who wished to raise a relevant issue, there was no requirement on them to negotiate on topics other than those subjects on the agreed comprehensive agenda. For example, while the DUP would negotiate on the subject heading of "Constitutional Issues", they would not negotiate "Northern Ireland's constitutional position as part of the United Kingdom" if such an

issue was raised under a general subject heading. The UKUP said they endorsed, in broad terms, what the DUP had said. The UKUP had fought the election on the basis that they would not negotiate the Union. The UUP stated that they supported the rules on the basis that they were a single set of rules - as was indicated in rule 2. The UUP also endorsed the other two unionist parties' comments

14. The Chairman said that the next item was to take the agenda for the remaining Plenary session. However that had not yet been agreed. The first two items on that agenda were, in his view, non-contentious, ie the ratification of the UKUP resolution and the establishment of the Business Committee and he asked the meeting to approve both these items. There was no disagreement on this point. The resolution by the UKUP had been unanimously agreed to by the informal group the previous week. There was no opposition voiced from the participants when the Chairmen put it to the meeting and the UKUP resolution was unanimously agreed. The UUP wondered whether the meeting would have to decide on the relevant voting strengths of the delegations who were to take part in the Business Committee. The Chairman said that it was desirable that maximum flexibility should apply re membership to enable people to be absent for other discussions. The DUP wondered whether the participants in the Business Committee had to be delegates. The Chairman said the rule was silent on that issue. The DUP stated that the Business Committee was not involved in any negotiations and therefore it appeared there was no problem, but in earlier discussions the British Government thought that there might be a difficulty.

15. The Chairman said that the term "representatives" had been used deliberately in the rules to allow maximum flexibility to the delegations. The British Government stated that it was happy with the Chairman's interpretation. The UKUP also supported the Chairman's view. The Chairman said that accordingly his view would act as a ruling if any questions arose on the issue in future.

The Business Committee would not be dealing with the substance of negotiations but with procedural matters only; that was why people other than elected delegates, could take part in its deliberations. The numbers would, however, be limited to two persons from each delegation. The DUP sought confirmation that no decisions of substance would be involved in the Business Committee. The Chairman was emphatic on this point. He then proposed the establishment of the Business Committee with General de Chastelain in the Chair. There was unanimous support for this proposal.

16. The UUP wondered about how notifications of meetings and procedures etc of the Business Committee would be issued. The Chairman said he would discuss this matter with General de Chastelain. The DUP wondered whether, on the resumption of the Plenary meeting later that day, it would be possible to proceed to a discussion of the decommissioning issue. The Chairman said the next item to be considered was the agenda for the Opening Plenary session and that had not yet been agreed to. He proposed to recess the meeting subject to the participants being recalled by him, and added that bilaterals should now take place to see what progress could be achieved on the agenda issue. The DUP asked whether there would be another meeting of the Plenary that day. The Chairman said there would be. The meeting then broke up at 10.54.

**Independent Chairmen Notetakers
30 July 1996**

OIC/PS4