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IMMEDIATE

8 March 1996

No of pages including this one: 1 + 10

**To: HQ
For: Second Secretary O hUiginn**

**From: Belfast
From: Joint Secretary**

Subj: British papers

1. I attach in final form the British papers on (a) an elected forum; and (b) the transition to negotiations.

2. I attach also the paper on electoral models, given to us in confidence and on the particular understanding that no reference will be made in forthcoming contacts with the Unionists to our having received it.

[5 March 1996]

ROLE OF AN ELECTED FORUM

A DISCUSSION PAPER BY HMG

The 28 February Joint Communiqué explained that one purpose of the current intensive consultations is to reach widespread agreement on proposals for a broadly acceptable elective process leading directly and without pre-conditions to all party negotiations on 10 June 1996.

2. One consequential of the proposal to proceed to all-party negotiations via an elective process is the need to consider how the elective process should lead in to the negotiations and whether there should be an elected forum and if so what role it might play while the negotiations proceed.

3. To illustrate the possible range of options and to help to elicit the parties' views, this paper sets out three possible options. These reflect the range of views held by the parties and are offered as a basis for discussion over the next few days. Subsequently, if there is no agreement on this point, the British Government will - as announced in the Joint Communiqué - bring forward legislation based on a judgement on what seems most broadly acceptable.

Option A

4. There might be no elected forum. Depending on the nature of the elected process, successful candidates, or those nominated by the parties from among the successful candidates or put forward by the parties in proportion to the vote that party had received could participate in the substantive political negotiations.

5. On this model there would be no "elected forum" as such. The Northern Ireland political representatives, or a selection of them, would be participating in the substantive negotiations; but would have no independent institutional expression.

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Option B

6. Alternatively, there might be a forum in which those successful in an election, whatever form it takes, might meet on a regular formal basis. This forum might provide a central focus for the proposed all-party negotiations.

7. Further consideration would need to be given to the precise relationship between the role of the elected forum and the substantive negotiations, given the need to ensure that the totality of relationships was comprehensively addressed and that there was an appropriate role for the two Governments in relevant strands of the negotiations. The elected forum might establish negotiating Committees; or it might establish Committees to explore issues relevant to the actual negotiations which might take place between party negotiating teams and, as appropriate, the two Governments outside the elected forum.

8. On either model the elected forum might be able to:

- elect a Chairman (by weighted majority vote)
- determine its own rules of procedure (subject possibly to a power of direction by the Secretary of State)
- meet and debate relevant issues in plenary session
- establish a range of Committees, with membership and chairmanships distributed in proportion to party strengths in the forum
- take evidence and receive representations relevant to the negotiations from outside bodies, including the British and Irish Governments. Committees might be able

to meet and take evidence in any suitable venue in Northern Ireland, and in the Republic of Ireland or Great Britain

- invite representatives of the two Governments to participate in relevant discussions
- commission advice from expert sources
- formally take note of progress in the negotiations
- prepare a report or reports to the Secretary of State

9. Such an elected forum might be time limited and would have no legislative or executive functions.

Option C

10. Alternatively, there might be an elected forum which would operate in parallel with, but independently of, the negotiations. It would be coterminous with the negotiations.

11. Negotiating teams might be selected from among those successful in an election, whatever form it takes. Those negotiating teams would participate in the all-party negotiations starting on 10 June.

12. Meanwhile the elected representatives as a whole would meet on a regular basis to promote dialogue and mutual understanding on issues relevant to relationships within Northern Ireland. This elected forum would have no legislative, ^{or administrative} or executive functions, and would explicitly have no power to direct ^{the conduct of any of the} ~~the conduct of any of the~~ negotiating teams ~~or the course of the negotiations.~~

13. To facilitate those members of the forum who would be engaged in the negotiations, the forum might sit on specified days when no negotiations would be taking place.

14. A primary function of the forum might be to conduct hearings at which public submissions could be made by community, voluntary, women's and youth groups, trades unions, business and professional organisations, the Churches, academics etc. The forum might normally sit in Belfast but would be expected to conduct hearings in other major centres in Northern Ireland. The objective would be to help members of the forum (and of the negotiating teams) to develop a wider perspective on the issues under consideration.

15. The forum might establish Committees to consider specific issues such as social and economic questions, cross community reconciliation, ^{parts of ethnic and} equity of treatment and aspects of human rights. The membership and chairmanships of Committees might be allocated on a proportional basis. Any reports might be adopted by consensus. The Committees, or the forum as a whole, might commission specialist studies on relevant topics and, where appropriate, examine best international practice in relevant areas. ~~Such discussions would enable the members of the elected forum to make common cause on these issues.~~

16. Any discussions, studies or reports from the elected forum would of course inform the negotiating process, which might be free to commission such work.

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17. The forum might also be tasked - on an agreed basis and at the instigation of the negotiating process - ^{acting by unanimity} to provide a measure of the breadth of support available for propositions arising in the course of the negotiations, so as to inform those negotiations; and/or at the end of the negotiating process.

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