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File

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Talks Secretariat
29 May 1991

cc: PS/SofS (B&L) - B
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PS/MofS (B&L) - B
PS/PUS (B&L) - B
PS/Mr Fell - B
Mr Pilling - B
Mr Ledlie - B
Mr Thomas - B
Mr Alston - B
Mr Hamilton, Cent ^{3ols} ~~Sec~~ - B
Mr Wood (B&L) - B
Mr P N Bell - B
Mr Cooke - B
Mr Dodds - B
Mr D A Hill - B
Mr D J R Hill - B
Mr Petch - B
Mr Brooker - B
Mr Marsh - B
Mr McCaffrey, Press Off - B
Mr Archer, RID FCO - B
HMA Dublin - B
*Mr Nick Bevan, MOD
*Mr Appleyard, Cab Off
*Mr Gowan, Cab Off
* Mr Bentley, HO
(* via Mr Walker SIL)

PS/Secretary of State (PB)

SECRETARY OF STATE'S BILATERAL WITH THE JOINT UNIONIST DELEGATION:
22 MAY 1991

1. I attach the summary record of the Secretary of State's bilateral meeting with the Joint Unionist Delegation held in Parliament Buildings on 22 May.

2. Copies are being passed to the parties.

signed

STEPHEN POPE
Talks Secretariat
PB Ext 2203

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ID310/A2/HMH

I N C O N F I D E N C E

RECORD OF A MEETING BETWEEN THE GOVERNMENT TEAM AND A
JOINT UNIONIST DELEGATION IN PARLIAMENT BUILDINGS ON 22 MAY 1991

Government Team

Secretary of State
Minister of State
PUS
Mr Fell
Mr Pilling
Mr Thomas
Mr McNeill

Secretariat

Mr D J R Hill
Mr K Lindsay

Also Present

Mr Pawson

Joint Unionist Delegation

Mr Molyneaux
Mr Cunningham
Mr Empey
Dr Paisley
Mr Robinson
Mr Dodds

The Government Team held a bilateral meeting with a Joint Unionist Delegation at Parliament Buildings between 1440 and 1550 on 22 May 1991.

2. The Government Team noted that the three main subjects for consideration were the location for strand two plenary meetings in Northern Ireland, the guidelines for the independent chairman and the agenda for plenary sessions of strand one. The Joint Unionist Delegation submitted a paper headed Terms of Reference and Standing Orders (TOR/SO) of the Independent Chairman (text at Annex A).

Venue

3. The Government Team proposed that the bulk of strand two plenary meetings (ie other than the meetings in London and Dublin) should be held in Parliament Buildings. This was on grounds of practicality (in relation to Conference accommodation and the facilities available to the delegations), security requirements, arrangements for the media, continuity and the facility to move between strands as required. It was recognised that there were awkward resonances for the Unionist parties and for others in this location. The Joint Unionist Delegation assented to this proposal.

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Guidelines for Independent Chairman

4. In discussion the Joint Unionist Delegation spoke to their paper to illustrate their views on the following points:

(i) the role of the chairman. This was touched on in paragraph 7. He should act as a facilitator or as an independent presiding officer. He should be responsible for the pace of proceedings but should not usurp the authority of the Secretary of State in relation to moving from strand two to strand three. The independent chairman might assemble agreed positions or explore contrasts and common positions at the request of participants but not in a way which would endanger his impartiality. On the question of a final report the Joint Unionist Delegation were of the view that there should be one, though its form was at present unclear.

(ii) the machinery for dialogue with the delegations. The Joint Unionist Delegation referred to paragraphs 2, 10 and 13 of their document. The chairman should convene and chair all meetings in strand two, could convene plenary, bilateral and other non-plenary meetings (eg a business committee) and could consult with all the participants. The Joint Unionist Delegation said that they did not have any objections to the chairman holding non-plenary meetings but that these should not take place without the agreement of the leaders of the delegations.

(iii) staff. The Joint Unionist Delegation accepted that the Chairman would require a private secretary but did not believe he should be supported by a Secretariat. They proposed (paragraph 15 of their paper) that any necessary staff should be provided by the "host government": they were opposed to the idea that there should be any joint secretariat staff provided by the two Governments. The

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Government Team noted this but suggested that there might nevertheless be a need to provide a neutral resource for the Chairman.

(iv) Standing Orders/Rules of Procedure. The Joint Unionist Delegation explained that the power of the chairman to settle procedural questions was covered in their paragraph 7; the convening, postponing or adjourning of meetings was covered in their paragraph 12; but the Government should give some thought to the length of contributions: it was important for the chairman to have such power to limit contributions if it became necessary to use them. On confidentiality, paragraph 16 of the Joint Unionist document stated that no press or public comment should be made by or on behalf of the chairman. This was to maintain his independence and impartiality.

5. Arising from paragraph 4 of their paper the Joint Unionist Delegation, said that they would like to see any briefing given to the Chairman by HMG or the Irish Government to ensure it was fair and did not constitute a private steer.

6. Arising from paragraph 8 of their paper the Joint Unionist Delegation sought confirmation that minutes of plenaries should be distributed to everyone and minutes of bilaterals only to those participating as at present. The Government Team agreed. The Joint Unionist Delegation suggested that as in the Assembly, the first business of the day should be to agree the minutes of the previous session. The Government Team said that those involved in bilaterals in which the chairman or HMG were not involved should agree between themselves what record they were going to keep.

Agenda

7. The Government Team recalled the agreement that the initial plenary sessions would comprise opening presentations from each party and opportunities for clarification and

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questions. The Joint Unionist Delegation suggested that papers should be published and made available to each of the other parties before or at the time of the opening presentation. They also reminded the Government Team that they had expressed concern about the order in which items had been listed in the aide memoire circulated by the Secretary of State on 3 May. The Government Team suggested that a small sub-group representing all the parties and chaired by the Minister of State similar to the one set up the previous day, should look at the question of agenda with others in terms of a sub-plenary.

9. In conclusion, the Government Team said that they intended to make an announcement after the meeting on the venue for strand two plenary meetings in Northern Ireland, which had now been agreed with all the participants, and to say that they had got down to talking with the Unionist and Alliance parties about the role of the independent chairman.

TALKS SECRETARIAT

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ANNEX A

Terms of Reference & Standing Orders
of the
Independent Chairman

ISSUES TO BE INCLUDED

1. A definition of Strand 2 to be included in the chairman's terms of reference. This has previously been described by the Secretary of State as "those discussions held to consider the relationship between a Northern Ireland administration and the Irish Republic".
2. The presiding officer shall be appointed to convene and chair all meetings, whether plenary or other, held under the Strand 2 section of the talks.
3. Stipulation regarding "independence" - each participant (ie the two governments and the four Northern Ireland Parties) must be regarded and treated equitably.
4. No private brief to chairman by appointing parties.
5. Need to work according to agreement already reached regarding venue.
6. The term of appointment will be for the duration of the talks process.
7. Role as chairman of meetings - authority in the chair.
8. The chairman will ensure that suitable minutes are kept of each meeting, and that these minutes are distributed to those entitled to receive them.

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9. While the chairman will report the outcome of meetings, any task undertaken by the chairman in exploring the contrasts or commonality in the positions of the parties shall be exercised at the request of the participants.
10. Power to convene plenary, bilateral and other non-plenary meetings on request of participating parties.
11. The chairman, in consultation with all the participants, will determine the agenda for meetings of Strand 2 talks.
12. The chairman may adjourn a meeting either to ensure the good conduct of the discussions or in consultations with the participants. Equally a delegation may propose an adjournment, such adjournment not to be unreasonably withheld.
13. Consultation with all parties by chairman. Each party shall have a right of access to the chairman.
14. Restricted to meeting participating delegations only.
15. Ability to direct staff (seconded from host government).
16. No press or public comment by or on behalf of the chairman.
17. Agreement of all parties on any procedure not previously set down.

(22nd May, 1991)

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