

## **4. PROCEDURAL MOTION**

### **Adopted 24 September 1997**

Plenary adopts the following conclusions in respect of items 2-5 of the agenda for the remainder of the opening Plenary session.

- 2(a) Plenary agrees to adjourn discussion of this item to a subsequent Plenary.

Plenary welcomes the decision of the British and Irish Governments to appoint General de Chastelain as Chairman of the Independent Commission and agrees that Senator Mitchell, Prime Minister Holkeri and General de Chastelain should act as Joint Chairmen of Strand Two and that the Rules of Procedure are hereby amended accordingly;

- 2(b) Plenary agrees that the resolution of the decommissioning issue is an indispensable part of the process of negotiation, alongside other confidence building measures;

All delegations are hereby committed to work constructively and in good faith to secure the implementation of the compromise approach to decommissioning set out in the Report of the International Body;

Plenary supports the views of the British and Irish Governments, as set out in the joint statement by the Prime Minister and the Taoiseach on 15 September (copy attached as Annex 1), on consent and on the decommissioning of some paramilitary arms during the negotiations;

All delegations are committed to work constructively with the Independent Commission to enable it to carry out its role;

Plenary invites the Independent Commission to notify it of any case where the Commission considers that a participant has failed to engage properly with the Commission.

2(c) Plenary agrees to establish two sub-committees as follows:

**(1) Liaison Sub-Committee on Decommissioning**

A Liaison Sub-Committee of the Plenary on Decommissioning (the Committee) shall be established comprised of representatives of all the participants in the negotiations. It shall be chaired by the Chairman of the Plenary and will report regularly to Plenary.

The Committee will be charged with assisting as appropriate the implementation of all aspects of decommissioning as set out in the Report of the International Body. In particular it will be required:

- to consider any legislative proposals by the Government, and any proposed regulations;
- to consider the type of scheme or schemes for decommissioning and the role of the Independent Commission in respect of same;
- to consider proposals for such schemes drawn up by the Independent Commission, and to submit any agreed opinion on the proposals for consideration by the Commission.

(2) **Liaison Sub-Committee on Confidence Building Measures**

A Liaison Sub-Committee on Confidence Building Measures (the Committee) shall be established comprised of representatives of all the participants in the negotiations. It shall be chaired by the Chairman of the Plenary and will report regularly to the Plenary.

The Committee will be charged with assisting as appropriate the implementation of all aspects of the Report of the International Body relating to the further confidence building measures mentioned in that Report which participants may raise, and any others which may be referred to by agreement by the Plenary. In particular it will be expected:

- to consider developments in relation to such measures;
- to consider such reports on such measures as may be submitted by those with responsibility for the issue in question;
- to draw to the attention of the Chairman of the relevant strand any institutional or systemic implications which may arise from its consideration of particular confidence building measures.

- 3 Adopts as the comprehensive agenda for the negotiations the outline proposals tabled on 15 October 1996 by the Ulster Unionist Party, the SDLP and the Alliance Party and set out in Annex 2 to this motion; and accepts that, consistent with Rule 17, the participants may wish, by agreement to develop or refine the comprehensive agenda during the negotiations;

- 4 Hereby launches the three-stranded negotiations and invites the relevant Chairmen to convene meetings in accordance with Rule 11, and agrees that the Business Committee should meet as required to co-ordinate the progress and procedures of the negotiations and to advise the Chairman on the timing and sequencing of meetings in the various strands;

Notes that the two Governments will complete the formal establishment of the Independent Commission on the adoption of this motion; and hereby formally establishes the two Sub-Committees referred to above;

- 5 Invites the Chairman, following the adoption of this motion, to make his concluding remarks, thereby completing the agenda for the opening Plenary session of these negotiations;

Invites the Chairman, without prejudice to his powers under Rule 12, to convene further meetings at intervals of two months, or such longer period as may be agreed, in order to review progress across the entire spectrum of the negotiations and to consider whether the necessary confidence and momentum towards agreement is being sustained.

**JOINT STATEMENT**  
**15 September 1997**

The Prime Minister and the Taoiseach have reviewed together the present situation, and believe it may be helpful to clarify their views as the talks resume.

The two Governments are committed to the documents they have signed, including the Downing Street Declaration, but believe they should in particular spell out their views on two crucial issues, consent and decommissioning.

Consent will be a guiding principle for them in the negotiations, from which no outcome is of course excluded or pre-determined.

Both Governments re-affirm that the aim of the negotiations is to achieve a new and lasting agreement, addressing the totality of relationships, which commands the consent of both Unionists and Nationalists.

They recall that a guiding principle for the process of negotiations launched on 10 June 1996, enshrined in the agreed rules of procedure and therefore binding on all participants, is that any agreement in these negotiations must command sufficient consensus among the participants.

The two Governments see the resolutions of the decommissioning issue as an indispensable part of the process of negotiation, alongside other confidence-building measures for all sides. That is why they have passed the appropriate legislation in their respective jurisdictions and agreed to establish an

Independent Commission simultaneously with the launch of substantive negotiations.

Security experts in both jurisdictions have made preparations to brief the Commission, so that options for draft schemes for decommissioning, in conformity with the Mitchell Report and the Independent Commission's terms of reference, are available for their consideration and their discussion with all the participants from 15 September.

The two Governments remain totally committed to the implementation of the Mitchell Report in all its aspects, and they look to all parties to work constructively and in good faith with them on this basis.

Successful decommissioning will depend on the co-operation of the paramilitary organisations themselves and cannot in practice be imposed on them as a pre-condition for successful negotiation or as an absolute obligation. But both Governments would like to see the decommissioning of some paramilitary arms during negotiations, as progress is made in the political talks, and believe this could be a major contribution to confidence-building and momentum towards agreement.

## **ANNEX 2**

### **Proposals for the Comprehensive Agenda**

#### **Strand 1**

1. Principles and Requirements
2. Constitutional Issues
3. Nature form and extent of new arrangements
4. Relationship with other arrangements
5. Justice Issues
6. Rights and Safeguards

#### **Strand 2**

1. Principles and Requirements
2. Constitutional Issues
3. Nature form and extent of new arrangements
4. Relationship with other arrangements
5. Rights and Safeguards

#### **Strand 3**

1. Principles and Requirements
2. Constitutional Issues
3. Nature form and extent of new arrangements
4. Relationship with other arrangements
5. Rights and Safeguards

#### **Cross-Strands Issues**

1. Principles and requirements for the new arrangements to address the totality of relationships
2. Rights and Safeguards
3. Arrangements for validation of overall agreement

