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Northern Ireland Negotiations

Str 1(97) 6th Mtg

STRAND ONE, SIXTH MEETING
10 NOVEMBER 1997

Minutes

The sixth meeting of Strand One commenced at 2.15 pm on Monday 10 November, with Mr Murphy in the Chair and Alliance, Labour, NIWC, PUP, Sinn Fein, SDLP, UDP and UUP all present.

2. Mr Murphy offered to hold Strand One bilaterals during any period free from Strand Two bilaterals in the following week; he suggested any parties wishing to take up the offer should contact his office to agree on timing.

3. The minutes of the meetings held on 27 October and 3 November were agreed. In the absence of any comments on their length and style it was agreed to maintain the current format.

Agenda Item 5: Justice Issues;

Agenda Item 6: Rights and Safeguards

4. Mr Murphy proposed, starting with the PUP, going round the table for comments on items 5 and 6 (taken together) of the agenda.

5. The PUP had not submitted a paper (at this stage) but confirmed their support for a UK-wide Bill of Rights, adding that justice had to be seen to be done.

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TALKS/LJ/HK

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6. Sinn Fein had comprehensively set out their agenda at the earlier Strand Two meeting and the detail was contained in their paper 'For a Future as Equals'.

7. The SDLP stressed that justice issues were a core area to be addressed and that unfinished business could not be afforded in this area. A Bill of Rights was not an easy answer, with its myriad of detail requiring agreement. How it could sit alongside emergency legislation also threw up problems. The area of policing, a fundamental issue, also needed to be addressed: again, there were no easy answers. Dealing effectively with the question of cultural rights, could yield enormous benefits. The final SDLP point concerned the legal system, which had to be the last bulwark for the individual in any society.

8. The UDP agreed justice was a core issue but stressed that recriminations should be avoided; the justice system would need to evolve but not before society returned to normality. A policing framework all could embrace was required.

9. The UUP referred to their comprehensive proposals, substantial submissions and research investment on these matters in 1992, and continued to believe now, as then, that a framework of rights in law provided an important safeguard for both communities. There was no reason not to be ambitious and to seek to have the finest Bill of Human Rights worldwide. Emergency legislation should not remain one minute longer than necessary but for the

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present there remained a clear need for it; they noted that there was no move for the removal of emergency legislation in the Republic of Ireland. There was also praise for the legal system; it was not without flaws, but had withstood the brunt of terrorism, with the RUC in particular singled out for having helped to prevent an outright civil war.

10. The Alliance Party did not under-estimate the difficulties surrounding these issues. They would not be solved by tinkering with the police or the justice system. They advocated creation of a Department of Justice as outlined in their paper, 'Justice and Human Rights'.

11. Labour read their paper, 'Justice Issues, Rights and Safeguards' into the record. There was a suggestion that instead of a memorial- which might be divisive - a Day of Atonement should be considered.

12. The NIWC said that questions concerning minority or communal rights and individual versus community rights remained to be resolved. Recognition was needed that the question of prisoners was an issue and that policing should be a priority, as well as initiatives to resolve past injustices. They put forward the idea of a Commission which would allow for community input and for those who up to now had been denied an opportunity to voice their opinion on human rights.

13. Mr Murphy spoke to the British Government paper, which was presented with a view to bringing forward more

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detailed discussion of these agenda items at a later date. Mr. Murphy thanked the participants for their contributions, which he expected would form the backcloth for future discussion.

14. In future discussion, the UUP took issue with some of the wording used by the Governments in the Frameworks Documents and questioned the absence of any mention of ratification of the ECHR. The Alliance Party suggested rights fell into three categories : traditional, social and communal/minority; with fundamental rights being of greatest concern. The SDLP warned against 'catalogue shopping' of human rights legislation from around Europe (the UUP agreed) and suggested there was no easy way round political negotiations and the building up of confidence. Human rights provision should become a shield and not a badge for the citizen.

15. Following agreement of a brief press release, Mr Murphy confirmed that there would not be a meeting of the Business Committee on 12 November before bringing the meeting to a close at 4.30 pm.

Strand One Secretariat

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