

Implementation Group meeting - 20th January 2003

Browne - This agenda emerges from the "Rights" section of the GFA, but isn't exhaustive. Governments are required to contribute, and provide the list of achievements to date, and the outstanding issues.

Kitt - Regrets loss of unionists, hope it is temporary. Rededication to these principles, at heart of GFA. Complex issues - no quick fix.

APNI - Mechanics needed to make this a regular occurrence. Recognise that if we reach a consensus, it won't mean anything without the Unionists. Subcommittees suggestion.

NIWC - Events have changed since the last meeting. This group is to implement the GFA, and everyone's problems have to be dealt with collectively. Comprehensive agenda - where does Item B fit (institutions)? Some of the issues that we want to raise are beyond Strand One - welcome co-chairpersonship.

SF - Question of responsibility - need inclusivity. Want to touch on all five areas today, because of the different constituencies that we represent. A genuine effort is needed. Our proposal paper is in the spirit of finding a way through the difficulties.

SDLP - We knew that some people wouldn't be here today. Should work to developing an understanding, despite lack of unionist attendance - do it in a way so that people can return, but not work things out subject to the approval of those absent. Need to regenerate confidence. If we work well together, others will reconsider their actions.

Browne - Response of HMG - Agrees that this should be as inclusive as possible. Talking advances understanding. This is the first Implementation Group (IG in future) that has got down to agenda headings. Open mind re subgroups. Happy to provide officials. Item B will be discussed at the Round Table. Knows there are issues related to voting, raised by NIWC, APNI.

Kitt - Decide collectively to get agenda covered.

Paper 1 - Human Rights.

Browne - Fulfilled the duties of establishing the NIHRC, to research a Bill of Rights. I know there is some frustration over the workings of it. I have an open mind as to how these can be addressed. Has to not take away from the powers given by the GFA, or the independence of the NIHRC.

APNI - Issue of resources. Statutory duty to prepare BoR. parties should not take it over, but collectively give advice. Look at the Birnie debate - politicised, restricted the NIHRC.

NIWC - Familiar with debate. Concerned that the consultation involving civic society will be bypassed. Interested to hear other parties' views, how they would do better than the NIHRC. They have done a remarkable job considering the lack of resources. Meyer said that the BoR could sort out the constitutional question. Number of questions.

Staffing of the IHRC - one full time staff member. If they are to work in partnership with the NIHRC, for the all island charter of rights, then there should be parity. The procedure for appointments - replacement of those who left last year - should be transparent and not about personalities.

SF - touch on some of the issues. NIHRC - re powers, resources, effectiveness and independence. Asking for more budget - calls independence into question. NIHRC - process needs to be sited within the Paris principles. See own paper. BoR - not politicians taking over the process, but taking it forward in an independent forum with an international chair and own secretariat. Politicians and civil society involved. Better way. All parties should re-affirm commitments on human rights in the GFA, especially concerning vulnerable communities and on sectarian harassment. Need strong anti-sectarian legislation.

SDLP - The human rights issue is more mature than other issues, because of the consultation, frequent discussion etc. People assume fixed sectarian positions on this issue, re Birnie debate. Letter from NIHRC - BoR being contracted out. Brice is encouraging the parties to take part in this format. This model can assist them to fulfil their statutory function. Get round table agreement with NIHRC input, backing. Bilaterals, no hostility from others.

Kitt - North and South - IHRC has a CEO and temporary offices. Will have 10 staff in the next few months. Need to push ahead. Ready to facilitate anything that will help. Joint committee re Charter of Rights shortly in a position to publish a consultation.

Browne - Not ashamed of stewardship. The NIHRC has been charged with advising us with what should be in a BoR. If the NIHRC is happy with a round table format, with an international chair, and doesn't feel that its position is being undermined, then ok. Not happy to remove the NIHRC's statutory obligation to do the BoR. They are the ones with the expertise, but cannot conclude the process until the Executive is up again. Resources issue - argument: priority for limited resources, and I am happy to revisit this. Accountability issue for public spending. No history of NIHRC being denied resources. Dialogue - some of the requests could not have been exceeded to the way it was presented. Offered NIHRC opportunity to discuss where we can give them the flexibility within its budget. The makeup of the NIHRC is very important - there are few who have the ability who don't have any past... We have to try and be reflective of society. Haven't spoken to those who left last year. the appointments must result from a transparent process, and be independent. This is an issue that is very important to me, the NIHRC is a young institution which has come a long way in a short time. On behalf of HMG, a restatement of the principles of the GFA is not a difficulty.

SF - Interesting development of the electoral fraud act - 200,000 people are no longer on the register. The new requirements are unique to here: NIHRC should have the resources to look at this. Disparity with the rest of the UK.

NIWC - Electoral Commission research - not finished until after the elections. There has to be some reason why so many are not on the register. Try and get it rectified. Window very limited. Legislation not brought in to deny human rights.

SF - hard now for people to get on the register. Electoral office have no resources to deal with a crisis. Clear example of breaching these principles - ironic.

APNI - Ensure NIHRC has some form of objective analysis. Party sub-group should not replace the NIHRC. Civil society is important. We have a fear of party tradeoffs if politicians take over the process.

SDLP - This is not what we propose. NIHRC has indicated that they are comfortable with this model - can move the BoR forward. Fine detail - not go into it today. Broad front agreed - work through the issues, get an agreed outcome.

APNI - would be fine if things would develop the way Attwood suggests; wary because of experience with Committee of the Centre. Need to look at possible ways forward. May reach consensus and then hit a block later on. This debate requires maturity.

SF - Key that discussion is without prejudice - agree that a group here takes this forward.

Kitt - Human rights are universal. Try and bridge gaps - scope for progress...

NIWC - Need to remember civil society is a factor. Danger that political parties negate that. NIWC sponsoring a Human Rights Consortium - everyone should attend, take note.

SDLP - we held discussions on this last year - NIHRC cannot move this forward without the political parties. We have responsibilities too. Important to try and get a collective effort. Contribution doesn't mean control by the parties; churches, TUs, NGOs, etc. Meeting with Brice, so that we are all clear on this. Takes opint on Executive.

APNI - formally set up a subgroup then if we are all agreed. Suggests that Monica convene.

Browne - What has emerged: IG responds to the 11th Dec letter from the NIHRC to engerise the process. Content within reason that the NIHRC goes about it this way. Must respect civil society. Report back at a later IG. Offer officials to help facilitate. This is not an alternative process. Cannot undermine the NIHRC - this must be part of it, rather than instead of it.

Irish Language

Browne - Have a lack of knowledge on this subject - let others do it.

SF - 2 angles: Rights affirmation, and the specific details on how to proceed. People have lost faith because of lack of progress. Questions of funding - parity with Welsh / Scottish Gaelic. Communications Bill. Departments accept letters in Irish, but do not respond in same. FnG the only cross-border department which had its funding cut. Momentum needed.

SDLP - all have responsibilities. Need more effective joining up. Concerns about the

Communications Bill. Undermines GFA commitments.

APNI - What duties fall on the Charter for Regional Minorities? Cantonese / Urdu not covered. Be cautious re imposition of rights - disproportionate amount of money on Irish Lang.

NIWC - part of GFA, let's take it forward. Dept of Education: should bring Irish language schools into line with integrated education. What is the problem with TG4? DCAL published report - what is happening?

Kitt - funding _7.5million 2 years ago, _14million now. Convey de Brún's concern. Communications Bill, 2 governments meeting tomorrow. TG4 on agenda. All sittings should be available to everyone.

Browne - classic IG issue. Re the Broadcasting Bill, have to refer to Angela Smith. Functional problem - there needs to be a clearer understanding of who is responsible for what - local politicians... Pleased to be meeting Irish Govt tomorrow; Signal to be boosted? No reason why we shouldn't have it. Put it to bed etc. Work in progress - report back. Don't think it should be difficult.

SF - Communications Bill needs to be amended.

Browne - report back at the next meeting. Objectives have to be achievable. Accept the responsibility - you were in government before I took this on.

SF - legal responsibility henceforth.

Kitt - Do all I can right now after tomorrow's meeting.

APNI - wanted Euro charter question responded to - no one could.

Equality

SDLP - people need commitment to core principles in the GFA. Further commitment to the unemployment differential. Slow decline over decades. Reaffirmation and strategy is important. Equality Commission: current difficulties - work profile. Disproportionate amount of budget is spent on casework. Tensions within - other issues re funding, legal aid etc. Concur with SF paper. Section 75 application exists in law - fulfilled in a mechanical rather than a qualitative way. No resources / ability to criticise / be consultative. Powers of EC is to demand papers. Direct Rule responsibilities - review of the civil service, procurement review etc; neutrality requirement. Taskforce documents - what is happening in the system?

SF - same issues. Capacity building not being taken forward. Talk elsewhere about other aspects of the GFA, "peace dividend" - around advancing HR/E of gender. Section 75 more effective, policies aimed at elimination of unemployment differential. What has been done? New TSN - have to look at what has been done. Target - do people

know that this is their job? Govts could make available funding to evaluate policies. Autumn figures don't even show progress - there was a dip. Appeals procedure - needs repealed, doesn't work. No target for reducing the differential. cases within the EC have to be given increased resources if they are important, and the issue of legal aid for discrimination cases must be resolved.

NIWC - heartened by progress since 1975. It was about religion when people were marching to Stormont. One concern - OFMDFM - women's groups are going to the wall - finding for "men's groups" must be equivalent. Training of officials needs to be done to interpret this part of the Act in the spirit of the Act. Alarmed about the data on poverty - need to know the proper levels. Employability taskforce: no academics / civil society / NGOs - more of the same. Need for affirmative action, all women shortlists. Agree about the targets, lack of innovation. Peace dividend has to work down. Moving away from 2 communities idea - ethnic minorities increasing coming under racist abuse. Need for parity of esteem.

APNI - agree. Equality about all things, not just religion - some issues more equal than others. TSN some successes - totally opposed to quotas. 14% don't want to be recognised as a religion in the census. Issue of fair employment - schools. Categorisation problem of integrated schools.

SF - Employment differential the long standing problem. let's not lose sight of this. West Belfast - task force, benefit trap.

NIWC - respond. Issue of language. Let's do what the GFA said. Aspects of it beyond the religious communities. Positive approach by Irish Govt.

Kitt - thanks. Share our experiences. Keen for EC in North & South to work together. Welcome progress.

Browne - My Ministerial responsibility. A lot has been done. Difficult to prioritise resources when dealing with such complex issues. Pearson will engage with the task force. Need to have this debate in a more inclusive forum. The EC is a resourced commission - look at the gaps, engage with the Lord chancellor's office if need be. You will be left with my decisions - need to decide things yourselves. Significant amounts of money here. Look at the consequences.

SF - Lack of targets on the differential...

Browne - no targets by employability? Go back and look. Lot of work to be done - don't want to set targets we cannot meet. You guys will have to live with it.

Proposal to come back for the remaining issues. Victims is a work in progress, Bloomfield will have to be broadened, 1st item on agenda. Talk at Roundtable about a date.