

NORTHERN IRELAND WOMEN'S COALITION

SUBMISSION ON THE RIGHT TO RAISE MOTIONS AND OTHER PROCEDURAL MATTERS - 2 DECEMBER 1996

1. The purpose of these All Party Talks is to negotiate, as indicated by the founding legislation "Northern Ireland Entry to Negotiations, etc. Act 1996" Paragraph 1 (1) states: "Elections shall be held in Northern Ireland for the purpose of providing delegates from among whom participants in **negotiations** shall be drawn"
2. Our negotiations are regulated and aided by Rules of Procedure democratically decided by ourselves in arduous debate before the Summer.
3. Unlike the Forum Rules of Procedure, nowhere in the Talks legislation or Rules of Procedure is there any specific provision for the tabling of motions.
4. Usually clear provision has to be made for the tabling and handling of motions if it is the intention of a body to proceed in that way. It is our view that it was never the intention that the All Party Talks should be a place for debating motions.
5. Paragraph 16 says "make every effort to reach a comprehensive agreement". Paragraph 17 states "without prejudice to any participant's negotiating position..... without their ability to do so being subject to the veto of any other party in the negotiations." Paragraph 18 states "no negotiated outcome is either pre-determined or excluded in advance or limited by anything other than the need for agreement". Paragraph 35 refers to "working to remove obstacles to reaching an agreement" Paragraph 36 states "The Negotiations will proceed on the principle that nothing will be finally agreed in any format until everything is agreed in the negotiations as a whole." The Women's Coalition believes that these paragraphs indicate a wholly different approach and would be prejudiced by introducing a process of adopting motions.
6. Motions are about setting policy and about binding all parties, or the majority of them, to a particular policy. It is our contention that this is at variance with the purpose and process of the All Party Talks.
7. It is obvious that negotiations must have more flexibility than a process of adopting motions would allow. Participation in negotiations is different from participation in a legislating parliamentary body. All parties have to be given the space to change and moderate their positions and to fit ranges of options together creatively. Any process which seeks to straight jacket any or all parties militates against this.

8. In addition, the purpose of adopting motions is questionable. What force can they have? They cannot be given effect as no one party or the plenary can mandate the policy of independent political parties to the negotiations. At the very heart of negotiations is the right of individual participants to determine their own policies and compromises on these policies. As with decommissioning, agreeing contingent agreement or a total agreement will be a voluntary matter for parties to sign up to rather than be forced into. For these reasons we believe that no purpose is served by tabling and debating motions. They are meaningless and can have no effect, except as weapons to entrap some parties or pull them into line.

9. For this reason The Women's Coalition believes that there is no right to have motions debated and voted on. All other matters surrounding this issue such as time limits, relevance and the procedure for amendments is therefore not addressed by us.

10. We would stress however that this does not contradict Paragraph 17. All participants must "be able to raise any significant issue of concern to them and receive a fair hearing for those concerns". We are simply stating that the motion format is not the appropriate format in which to do this.

12. In summary, motions are not appropriate because the motion format

- constraints discussions
- seeks to impose policy and bind parties contrary to Paragraphs 17 & 18.
- takes time from negotiations
- has no effective outcome which can be implemented
- is inflexible and is one dimensional and thus militates against the concept of "every effort to reach a comprehensive agreement" (Paragraph 16)
- is likely to add rather than "remove obstacles to reaching an agreement" (Paragraph 35)

13. The Women's Coalition is prompted by the references to time limits and delays to raise the frustrating and fundamental issue of time. Time is precious of itself and in our current situation. This is not to suggest that we wish a 'forced march' and a hurried, incomplete Talks process. But we do wish some attention paid to efficient and effective working practices, to timescale for our various tasks and to time limits for speeches.

14. We continue to assert the view that incessant speechifying and long speeches are as undemocratic as refusing to let people speak. Domination through monopoly of proceedings is oppressive. Those who are satisfied and wish to move on in the debate must be constantly denied their rights if there is no management of time which ensures both this and participants' rights to have their full say within reason.

15. Paragraph 7 refers to the Chairman's role in doing business "as expeditiously and efficiently as possible" as well as "allowing opportunity for full discussion of issues". We also draw attention to Paragraph 24 which give the Chair the power to "time limit interventions at his discretion".

16 The Women's Coalition does not wish to be prescriptive about timing. It is important to be flexible to enable discussion and contingent agreement and to ensure speaking rights are protected. However, we do wish to have attention paid to time management by participants. We want the Chairman to take an active role in assisting the application of this in individual speeches, in addressing issues on the agenda and in achieving progress through the agenda.

17. While appreciating the sensitivities around any kind of negotiations some methods used in other work spheres to ensure efficient and effective working are appropriate to us. We do have an agenda of items to get through. The Women's Coalition suggests that the Chairman should summarise from time to time what has been achieved over a given time period. Not only would this begin to give us a sense of time, it would give us an overview of our achievements. When engaged in long arduous, detailed and perhaps depressing discourse over seemingly intractable problems it is often difficult to appreciate that movement has been made. This 'marking of progress' could play a valuable role in energising and motivating us to continue with the task.