

# Office of the Independent Chairmen

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## SUMMARY RECORD OF STRAND TWO MEETING - TUESDAY 24 FEBRUARY 1998 AT 1043

### CHAIRMEN:

Mr Holkeri  
General de Chastelain

### THOSE PRESENT:

British Government  
Irish Government  
  
Alliance  
Labour  
Northern Ireland Women's Coalition  
Progressive Unionist Party  
Social Democratic and Labour Party  
Ulster Democratic Party  
Ulster Unionist Party

1. The Chairman (Mr Holkeri) convened the meeting at 1043 and stated that on behalf of all three Independent Chairmen he wished to condemn, in the strongest terms, the series of bombings that began with the car bomb attack in Moira on Friday past. The Chairman said these atrocious attacks were clearly the work of malicious enemies of the talks, intent on destroying the process.
2. The Chairman said that before moving to the substantive business of Strand Two he wished to call a brief Plenary session. On hearing no objections the Chairman declared the meeting to be in Plenary session and went on to outline that on Friday 20 February, the Secretary of State and the Minister for Foreign Affairs sent a letter to the UDP inviting it to rejoin the negotiations on 23 February. In their letter both had stated it would be necessary for the UDP to reaffirm, at a Plenary meeting, its total and absolute commitment to the principles of democracy and non violence listed in paragraph 20 of the Report of the International Body. The Chairman said he now wished to ask the UDP whether it wished to commit itself again to those principles.

3. The UDP said it was not prepared to recommit itself again to those principles but was happy to reaffirm its continuing commitment to the principles which had not diminished throughout the process at any time. The Chairman asked for any further comments. Hearing none he declared the Plenary meeting adjourned subject to the call of the Chair.

4. The SDLP said it very much concurred with the Chairman's opening remarks regarding the recent bombings. The party utterly condemned these attacks. There was also, however, the issue of the murder of Mr Conway whose body had been discovered in an old farmhouse near Aghalee. The party said it was important that the process didn't ignore murders such as this. They weren't any less serious than the other incidents highlighted and the party had referred to this during the Strand One discussion the previous day. The Chairman acknowledged the SDLP's remarks and said he would now include the murder of Mr Conway in his opening remarks.

5. The Irish Government said it condemned absolutely the recent bombings and the murder of Mr Conway. These appeared to be further attacks on the process as it moved towards reaching a settlement. The security forces on both sides of the border were co-operating fully in order to bring the perpetrators of these crimes to justice. Such people were the enemies of the process. Those engaged within the talks had to steel themselves and ensure that they continued to move towards reaching an agreement, by converging and sorting out the differences which separated them. There was only a short time left to achieve an outcome so participants could not afford to be distracted or diverted by the actions of terrorists and others who were against the process. The Irish Government said it shared the views of the SDLP in that it was morally repugnant to have different views

on different incidents. All terrorist incidents were treated similarly under the terms of the Mitchell Principles.

6. The Chairman said he now wished to move on to Strand Two business. A backlog of minutes required approval. There were five sets from meetings on the 20, 26, 27 (2 meetings) and 28 January. Hearing no objections the Chairman declared these approved as circulated. The UDP asked whether minutes produced during its absence from the talks could now be made available to it. This was agreed.

7. The Chairman said that the staff of the Independent Chairmen's office had circulated an effort at a synthesis of the papers submitted in response to the questions posed in the Governments' paper of 27 January. He said he hoped that that document could serve as a basis for the discussion today.

8. The UUP said it welcomed the document referred to by the Chairman. The party added, however, that it believed it would be helpful if parties were able to avail of copies of their responses since there was always a danger that a synthesis paper might not interpret positions fully and accurately. The Chairman asked whether there were any objections to party submissions being circulated to everyone present - even though one party who had made a submission were presently not in the process.

9. The UUP said it appreciated the latter position but understood that that party had made a submission to Strand Two shortly before its departure. The party said it also believed the paper produced in the margins of the Luxembourg Summit on east/west relationships should be circulated. The British Government confirmed that this document had already been circulated. The UDP stated that it also had a paper which it wished to be circulated. The NIWC said it had a paper for circulation as well. Hearing no



objections, the Chairman asked staff to distribute copies of the various submissions.

10. The SDLP said that its responses to the Governments' questions were brief and specific. The party had no objection to the circulation of these answers but they should not be interpreted as the party's full position on them. The SDLP said it would therefore be unfortunate if such responses found their way to the media on this basis. The Chairman sought agreement from the participants on whether the synthesised document, circulated the previous day, could serve as an agenda for the days discussion. This was agreed and the Chairman asked the British Government to begin with general comments.

11. The British Government said it condemned the most recent bombings and the murder of Mr Conway. Having experienced the Moira bomb at first hand and the devastation caused, it said it wished to echo what everyone else had said about those responsible. The British Government said such incidents should not distract anyone from the important and ongoing political process. The paper prepared by the Chairmen's staff served as a useful agenda for a Strand Two discussion. The British Government said it hoped it could join in this discussion and give the benefit of its views where this was helpful. It would also be happy to undertake, with the Irish Government, further work to develop the discussion, if participants felt that that would also be helpful. In doing so, however, the British Government said it wished to stress that while it clearly retained a very close interest in these matters, it would, in principle, be content with whatever was decided in Strand Two between the parties concerned within the terms of an overall settlement.

12. The British Government said it seemed clear that the potential area of co-operation was limited only by the scale of devolution of powers in Northern



Ireland which the "Propositions" paper assumed to be at least the functions of the Northern Ireland Departments. The decisions were therefore essentially a matter for the Irish Government and the Northern Ireland parties. The British Government said it was happy to contribute in any way which the parties felt would help to develop discussion of these important issues.

13. The Irish Government said last week was a difficult and depressing one for everyone with indictment procedures being invoked which were destructive to the process. It was important, therefore, that the discussions today were business-like and constructive. As everyone was aware, it had a central concern on the issues to be faced in Strand Two which were at the very heart of the negotiations. The joint paper which it and the British Government circulated on 27 January set out 14 key matters for consideration. It was grateful to parties for their responses, whether expressed orally at Lancaster House or set out in writing afterwards.

14. The Irish Government said the paper circulated by the Independent Chairmen's staff, which attempted to summarise and synthesise the responses, was, it believed, a useful basis for further debate at this session. It was clear that in many areas there was substantial divergence still among the parties. But there were also, perhaps, encouraging signs of convergence. There was no doubt that there were real and substantial differences between the parties which could ultimately be resolved if everybody had a willingness to compromise on previous stated positions. But, equally, it believed that, if everyone understood exactly what each other's concerns were, the problems might be less difficult to resolve. As the Lancaster House Strand Two paper made clear, both Governments were firmly committed to the positions in the Joint Declaration, and to those set out in the Framework Document, as being their best assessment of where agreement might be found in the negotiations.

15. The Irish Government said it wanted to see a North/South Council discharging or overseeing delegated executive, harmonising and consultative functions across a wide-ranging remit. It also wanted to see suitable implementation bodies and mechanisms for policies agreed by the Council in meaningful areas and at an all-island level. It wanted the appropriate arrangements - legislative, administrative, financial - put in place to enable the Council, and the agencies reporting to it, to do the very serious job envisaged for it. It would also like to see the new structures having the capacity to develop over time, in line with the development of relationships in Ireland.

16. But, at the same time, the Irish Government had repeatedly said, and as the Framework Document also made clear, that North/South structures could only operate by agreement between the two sides, and their members must act in accordance with the rules and procedures for accountability in force in the Oireachtas and Northern Ireland institutions. The Irish Government said it thought it would indeed be useful for everyone to move systematically through the paper, in an effort to tease out exactly how and where there were differences, and then to enlarge on areas of potential agreement. It understood that a similar strategy had proved quite productive in respect of Strand One discussions. It therefore looked forward to a good and productive debate.

17. The Chairman said he now wished to proceed to a tour de table. Alliance said it wished to reiterate what others had alluded to. As the process moved closer to agreement so there would be very pronounced and vengeful attacks on it - some violent, some verbal. The party said one had to remember that many people had an inherent interest in the problems not being resolved. This was not about the process being in trouble but rather it was a crisis for those with a vested interest in seeing the process fail. Alliance said the closer the process got to agreement, the more heavy duty

the attacks on it would become. The party, reflecting on the previous week's business, said that one had to consider that indictments were an essential part of the process and not a distraction from it. The exclusion of parties who demonstrably dishonoured the principles of democracy and non violence was all part of pulling a society together and moving through a transitional period from many years of violence to the establishment of a peaceful society.

18. Moving on to Strand Two business, Alliance said it was either a case of going through the synthesis paper and identifying areas of disagreement and struggling with these in principle or seeing whether participants found it easier to disagree in principle and agree in practice. The party said one approach might be to take some areas and see how these worked out in practice. Some agreement might develop from this, thereby allowing people to become a little less frightened and anxious about the prospect of North/South bodies and the structures which would underpin these.

19. Alliance said it might be useful to look at food safety as one issue. Such a topic, particularly beef, had resulted in massive problems for the economy and for farmers. If one looked at the natural quarantine provided by the whole island, thereby offering protection of value etc, the question was whether there was a need to have an implementation body to oversee this. If one was required, in what form was it needed? Presumably there needed to be political input from more than one department - agriculture and health to start with - and there might need to be an educational element as well. Alliance said there might have to be agreement between north and south on such an educational programme. This might involve Heads of Departments in north and south reaching agreement to start with. But it might also mean agreement having to be reached between departments north and south and then introducing an implementation body to oversee food standards, the provision of abattoirs etc. Alliance said if one looked at north south structures



in these terms then people could see the practical benefits of such co-operation.

20. Alliance said if there was going to be any chance for a settlement to grow and develop there would have to be a series of such implementation bodies going from the start to underpin it. If six or eight areas could be identified for such co-operation then this would also be helpful. One of these areas might be education, particularly the university sector. The present level of such co-operation here made the prospect for considering further co-operation in other areas much less frightening and therefore people were more likely to reach agreement on the necessary structures.

21. Labour said it condemned the recent bombings and murder. It was also equally important that the participants weren't blown off course by such events. It was now a case, more than ever, of having to get on and achieve an outcome to the negotiations. The party said it welcomed the synthesis paper produced. There were specific questions which needed to be addressed. There was no alternative but to work through it and answer some of the hard questions which were posed in it. There was the issue of formal north south structures. What format would these take? There were other core issues as well but there was a need to answer the fundamental questions first - such as agreeing the need for a Council, what its legal basis would be and what would be its actual role. The party said it was important to work through the paper as an agenda. If difficulties arose then these could be parked to enable the next question to be addressed.

22. The NIWC agreed with previous comments in relation to the bomb attacks. Not only had damage been done to property but to the process as well. Moving on, the party said north south bodies were not a threat to it. It welcomed the helpful document prepared by the Chairmen's staff and pointed

out that it had also produced a paper for circulation in Strand Two. The party said it wished to hear the views of other participants before adding further comment - though it welcomed Alliance's views presented earlier and recognised that there was fear and uncertainty about north south bodies.

23. The PUP said it felt the process was getting somewhere but not quickly enough. There had been plenty of debate but not much agreement and there wasn't a great deal of time left. The party said it believed the earlier comments from Alliance to be fundamental in so far as it was important to deal with those issues which removed fear and uncertainty and hence could lead quickly to an agreement. People on the outside had no true concept of how north south bodies might work and what could be achieved by them so there was a need to focus on areas where there looked to be broad agreement and copper fasten this, as Alliance had suggested. The PUP again said that time was short. Everyone was surrounded by an event driven society; therefore it was important for the process to drive forward and develop a bulwark which demonstrated that the talks could work. In doing this it might be possible to secure agreements in certain areas and then deal more readily with those aspects which remained unagreed.

24. The SDLP said it had one or two points to make. In terms of the purpose of such north south structures, the party said its main focus was that there was a greater political need for these. The creation of a north south Council was essential to a settlement because it would represent and express all-island relationships as well as being essential to the task of winning the agreement of Irish nationalists, north and south, to a political settlement. The party said experiences both inside and outside the room showed that this need not only existed but was growing in a substantial way. The party said it had tried to represent this need, in its answers, as a crucial political element which Irish nationalists needed if the problems on the island were to be

solved. Such a political need embraced many types of descriptions but "parity of allegiance" was probably the best description. It was, in effect, however, the means by which the rights of Irish nationalists to effective political symbolic and administrative expression of their identity could be articulated. The party went on to say that people in general shouldn't believe that Irish nationalism could not negotiate in the process without the stridency of the bomb behind it. The general unionist mind had become conditioned to this fear or feeling over many years in a way which was dangerous for both unionists and nationalists. The SDLP said this political need wasn't just about the benefits of decent roads in the community or co-operation across a range of other matters. There was a fundamental political requirement for it to occur.

25. The SDLP said it recalled past unionist comments that this drive for the promotion of Irish nationalist rights was some sort of nationalist plot to create unity in Ireland by subterfuge. The party said if this was the case it wouldn't be approaching the whole issue as it was doing by publicly upholding the principle of consent. This was reflected in all its answers to the Governments questions. It was also important to remember that nationalists who didn't let off bombs were not, in some way, more wimpish in negotiations than those who did. This would be a dangerous mistake to make. The SDLP said the proper political expression of nationalist rights was not a question of the process adding on an optional extra. The party was fully committed to getting a core element such as this in place if nationalists in general were going to support an agreement because if a referendum was put before the people it would be difficult to carry under any circumstances. There were political and paramilitary forces out there who would seek to prevent support for a referendum on both the unionist and nationalist side. There were also forces in the Republic of Ireland who could make it difficult for a referendum to succeed. The SDLP said, however, that despite this it would continue to take



risks and honour its commitment in Strand Two and in other Strands on the basis that there would be a clear institutionalised recognition of the need for nationalists to play a full part in any agreement.

26. The SDLP added that it would also be wrong for others to make the mistake that the process could reach agreement without achieving this “parity of allegiance”. But saying this didn’t mean that there was a plot concocted by the party and the Irish Government to achieve Irish unity. In referring to the synthesis paper and the comment in response (a) that “there is additionally some recognition that north south structures will allow nationalists in Northern Ireland an institutional expression of their identity...”. The party said that the word “some” needed to be replaced by the word “greater” since such a position couldn’t be subservient or subordinate to the other reasons for such structures. This was not an option for the party. This was a core element.

27. The SDLP said it was timely that these matters were being placed on the table, not in a threatening way or in terms of exercising a veto, but so as to inject urgency and reality into the discussions. The questions needed to be answered honestly, and whether Sinn Féin was in or out of the process, the party would ensure that the maximum negotiating position for nationalists was obtained. The SDLP said it would get what it wanted by peaceful means, by consent etc. It had never worked on the basis of not being able to deliver in this process unless it was accompanied by others. The party was asking unionists to acknowledge the political needs of Irish nationalists based on consent, not through some devious plot to unhinge unionism, but on the basis of working with the unionists together on the island.

28. The UDP thanked the SDLP for its comments and said that since it had been outside the process for a while it needed further time to evaluate the latest developments. It did, however wish to outline its position in relation to

north south structures. The party said this area of the negotiations was driven by practical and political requirements. The practical issues and benefits were perhaps easier to identify. The party said it was not opposed to developing relationships between Northern Ireland and the Republic. What it wanted to do was to put its finger on the territorial claim. There should of course be real and meaningful co-operation in areas where mutual benefit could be derived but this had to be driven by practical considerations while recognising that the amount of co-operation was limited by economic and political parameters on the ground. The party said it was important that developing relationships reflected the symmetry of all relationships throughout the islands. Such relationships also had to be based on accountability, transparency and mutual benefit.

29. The UUP thanked the SDLP for its assurances on the absence of a pan nationalist plot to introduce a united Ireland. The party asked, in relation to page two of the synthesis paper and page two of the SDLP's paper, what exactly was the institutional expression of nationalist identity referred to? In other words what more was there, in addition to such issues as passports, churches, schools etc, which enhanced an Irishman's identity? The UUP said it needed to be convinced that something else was missing from that list which, in its view, already underpinned this identity. Furthermore the UUP asked what the SDLP actually meant by the term "parity of allegiance". It was difficult to see how peace could come with nationalists looking to Dublin and unionists turning to London. The UUP regarded the turn with suspicions. "Parity of allegiance" was divisive. The UUP said "parity of allegiance" was built in to the Cyprus constitution but that constitution was a disaster. One place which does work is the South Tyrol. The UUP again asked for clarification as to what was missing, in terms of ensuring the identity of Irish nationalists, and what was so important that needed to be put in place in Northern Ireland.

30. The Chairman said this appeared to cover the opening remarks of the tour de table. He then proposed that participants go through the synthesis paper point by point, finding out what could be agreed and so on.

31. Labour said in relation to point (a) it supported the concept of institutionalised north south arrangements. The party saw real practical reasons for developing co-operation especially in the areas of social and economic matters. Labour said it had heard the UUP referring to the fact that co-operation was already practised on an ad hoc basis between north and south but now was the time to introduce structural co-operation based on the principle of consent and the mutuality of relationships.

32. The NIWC said north south structures should maximise the benefits of formal north south co-operation through consolidating and developing existing linkages; providing a framework for a strategic approach to economic, social and cultural issues; providing a framework for the building of trust between communities and sectoral interests north and south; identifying areas of common interest and developing joint actions and programmes in order to achieve maximum benefit north and south; developing an all-island physical infrastructure and to facilitate effective cross-border communications; maximising effective and efficient delivery of services (public and commercial) throughout the island of Ireland; promoting economic development and secure both maximum inward investment and tourist revenues throughout the island of Ireland; developing an equitable community and regional infrastructure across the island of Ireland; underpinning the aim of building a culture of rights throughout the island of Ireland; and, as had been outlined by the SDLP, offering a framework for the expression of culture and identity in all their diversity and to offer an institutional expression of identity.



33. Alliance enquired whether the participants, as a body, had the necessary and required political maturity to recognise the needs of nationalists from a political perspective? Furthermore were the participants mature enough to recognise these needs through north south structures? Such a political question required a political answer and the issue had to be faced. There was a need to give expression to Irish identity. The party said the referenda would only work if both sides went out to the public and sold any deal together. To do this, political compromise was necessary. This was very much a gut reaction but if any settlement was going to achieve success in a referendum, it could only happen by unionists and nationalists pulling together.

34. The SDLP felt that the questions posed by the UUP - what did parity of allegiance mean and asking what more did nationalists want - suggested the two sides must still be poles apart. The unintentional condescension in saying: "you have your schools and your language..." completely missed what the party had been trying to say. This was a question of a political culture, not just language or Gaelic football. It was about one's own being, as a person and as a community, on this small island. It was about having recognition of one's political being in terms of political arrangements. It was clear from history that unless nationalism could be part of an agreement there would not be one. Nationalism had advanced a great deal. Thirty years ago no nationalist party could have been at these talks, speaking as the SDLP was doing, including recognition of the principle of consent and of the difficulties of unionism. "Parity of esteem" was only a divisive concept if one made it so. Nationalist MPs went to Westminster and recognised the traditions and the system there so as to represent their constituents. They took the affirmation (or oath), which was not easy for them, because they recognised that there were other rights than their own. Nationalists were asking for a similar recognition of their rights. If their basic right to an effective political and

symbolic recognition of their identity and ethos was not even recognised, there was not going to be a solution. It was not a matter of the attendant things. The recognition of these equal rights of both communities should replace the tribalism that concerned itself with painting kerbstones or using the Irish language or Gaelic games as political weapons. The SDLP said it had been asked what it had meant by institutional arrangements to express this identity. It meant North/South institutions with executive powers, a North/South Council of Ministers with powers to make decisions and implementing bodies on an all-Ireland basis and practical underpinning structures such as a secretariat. This was no more than a statement of what was required for political nationalism to even conceive of being part of a political settlement. Even to sell that and get it past a referendum would be difficult.

35. The Irish Government said it wanted to support the SDLP's contention that part of the proposal for North/South bodies was very much political. A settlement would not be complete or acceptable to the electorate without this. It should be stressed that what was envisaged fell fairly far short of a united Ireland. There was no subterfuge or Trojan Horse here. The Irish Government and constitutional nationalism had accepted the principle of consent. The minimum which the Irish Government or the SDLP could sell to their electorates was a significant North/South dimension with executive powers, able to satisfy the deep and real political need for an expression of Irish identity which the SDLP had expressed for over 25 years. While unionists questioned the need for this, it should be recognised that the allegiance of both sides transcended the borders of Northern Ireland. The Irish Government wished to reassure unionists that this was not a stalking horse for a united Ireland, but an acceptance by the SDLP and if that they could sell this, short of a united Ireland, to their people.

36. The UUP agreed that the critical point was that an agreement had to be sold in a referendum. It had to be recognised, as indeed the SDLP had done, that unionism also had requirements to sell a deal. It was a misconception that unionist concerns related just to Strand One. Strand Two had to be politically acceptable too. The UUP knew what it could sell to its electorate. It could see some form of institutional co-operation between Northern Ireland and the Republic. However, the type of arrangements outlined by the SDLP and the Irish Government did not commend themselves to unionists and would be impossible for the party to sell. In terms of context, the party was not suggesting that North/South links would be subservient to the greater context of all the relationships in the islands, but that instead of consistently focusing on North/South, co-operation should be at whatever level was most beneficial, which in some cases might be at an all Ireland level, or only require changes in one jurisdiction (such as teacher qualifications in the Republic). Sometimes a wider context - British Isles or EU - might be appropriate, sometimes a more localised context in a small area. The Foyle Fisheries Commission, however imperfectly it worked, was one example of an appropriate mechanism tailored to a specific task. Equally, there might be some areas where Northern Ireland and the Republic were competitors. This varied context had to be borne in mind when talking of implementing bodies. The UUP stressed that whatever arrangements might be arrived at they had to be fully accountable to any Northern Ireland Assembly. The party felt that final decisions on implementation should be made by the Assembly and the Dáil. Transparency and accountability were crucial. If the party was to sell North/South co-operation, the political imperative for unionism was that the level of co-operation should be of benefit - it should have a practical edge. As regards the question on the terms of the debate, the obvious course seemed to be to go through the Chairmen's paper, taking each item in turn.



37. The SDLP said that in talking of the right of each community to the effective political, symbolic and administrative expression of its identity and ethos, it assumed that everyone agreed that those two sets of legitimate rights existed. A fundamental question arising in all the Strands was whether unionists believed that nationalist rights had to meet with unionist approval. The UUP said it did not see things in those terms. In both North/South and internal structures, everyone needed to develop systems which could command the allegiance of both communities. The approval of both sections was needed. In terms of an agreement, unionists would get what nationalists would allow, and vice-versa.

38. The SDLP wanted to return to the "what more do you want?" question, because it seemed to hark back to the zero sum game the participants were trying to emerge from. Implied in the question was the old unionist proposition that if nationalists were granted and guaranteed the same rights as unionists within Northern Ireland, they would be satisfied. The traditional nationalist response was: come into an Irish Republic and you'll get safeguards and a place in the sun to make you content. This kind of thinking got people nowhere. The party had been surprised therefore at the way the question was posed. Recognition of and respect for the rights of both communities had to be the starting point, and the task was the working out of the political implications which followed from that. The UUP in its subsequent comments had begun to address some of the pragmatic questions that arose, and there could be all kinds of answers to be explored to those. But there was a primary need to be able to justify, in political terms, the case for North/South institutions, and this needed to be clearly accepted and recognised. This political dimension arose firstly in terms of the rights of the nationalist community, but also because they were a complement of the rights of the unionist community.

39. The PUP said that for too long the leadership of unionism had dug trenches and thought only of keeping the "Taig" at bay. Unionists were now out of the trench, perhaps for the first time, and engaging with others. This made it all the more important that a deal be sellable. For unionism, a deal based on incremental movement, dynamism, etc. would not be a deal. Each side needed to be able to sell the deal, and to begin to lean upon the other. While it was clear that society could change at a future date, to build the suggestion of that change into an agreement was frightening for unionists. For its part, the party in its papers had tried to recognise where there were difficulties for nationalism. The making of a deal would necessarily involve the capacity to recognise each other's requirements. There was no question of a return to the status quo: the PUP wanted a new society, ideally based on a single allegiance in the future rather than parity of allegiance. The party's representative said it had been important today to listen, for perhaps the first time, to nationalists beginning to assuage his fears, which were the traditional fears of the unionist community. A major concern of unionists was that nationalists - and this certainly seemed to be true of Sinn Féin - would regard any settlement as only an initial step towards their objectives, and that nothing would ever be finally settled.

40. The UUP said it was not enough for the SDLP to dismiss the question of why nationalists would not be satisfied if their rights were protected. A society where all rights were guaranteed and people were satisfied was most peoples' ideal. Unionists were trying to grasp what were the nationalist rights which necessitated an institutional expression. Were there practical examples which Unionist leaders could demonstrate to their community when they were trying to sell the deal. The SDLP said the word "rights" usually was understood to relate to individuals. What was involved in Northern Ireland was a community's sense of itself, of its identity, allegiance and affiliation, which had been sundered, and a recognition, however tenuous, that that

affiliation required some expression. This was not a new idea: it went back to the Council of Ireland in the 1921 Treaty, and had grown through Sunningdale, the Anglo Irish Agreement, the Downing Street Declaration and the Framework Document, to this process. The SDLP had made clear, in its papers, that this "right" applied to both communities, albeit taking different forms of expression. On one side of the coin it was expressed for the Unionist community in the union with Britain. On the other side of the same coin it did not up to the present have any expression for nationalists. This was important to nationalists, and had been recognised by the British Government, the Irish Government, and more widely.

41. The UDP said that nationalists and unionists were co-dependent in terms of the package as a whole and each component of it. The SDLP said it could not sell it without a significant North/South element, but each Strand, including North/South arrangements, had to be able to command the allegiance of both communities. The party had asked if nationalists could only get what unionists were prepared to give them. The UDP considered that both sides shared control over what could be agreed. It was more a question of what each side could not have, or what the arrangements were not. The Assembly could not be Stormont reborn, North/South arrangements could not be a Trojan Horse for a united Ireland. Each element should be clearly and transparently recognisable for what it was. Ordinary unionists were deeply concerned about North/South relations. When Sinn Féin and others talked consistently of the need for North/South relations to have the capacity for fundamental change, that meant only one thing to unionists. An agreement that had a sniff of a united Ireland to it would have no chance at all. This was not a question of trying to filter nationalist rights through Unionism, but of creating structures that met everyone's needs, based on a recognition that unionists were not trying to dominate nationalists, and nationalists were not trying to coerce unionists through subterfuge. The UDP felt that the



Assembly was the real place where unionists and nationalists would have to share responsibility and make the decisions that affected their communities. That was where allegiance would be dealt with in the long run. To some extent the whole agreement would be subterfuge and illusion. Whether unionists and nationalists could work it or not would be determined in the Assembly.

42. Alliance said that "rights" were usually quite specific, but even so could be in conflict with each other. Here the word was being used for a broader, political, less defined concept. "Rights" in this sense and "parity of allegiance" were broad terms which could hold the participants in lengthy debate without getting close to what each meant. In response to a question, the SDLP had given a clear and helpful definition of what it meant by a "political expression of identity". Alliance suggested the best way to proceed would be to get right into these specifics - institutions, practicalities, fields for co-operation, etc. Parties needed to move through the agenda, seeking common ground. The party also agreed that in the end rights would be mediated in the Assembly. The new relationship would emerge there or nowhere. The NIWC said clearly each side had rights, which were not greater than the other. There ought also to be a place for those who were neither Unionist nor nationalist. They would see such fields as culture also having a place in North/South bodies. Alliance said there was a useful exchange taking place, especially between the UUP and SDLP, with each asking questions of the other. It might help understanding to know what each side thought the other needed.

43. The UUP said it would try to respond to this. What was being discussed was a sense of identity, of allegiance, of belonging, applicable to each of the three Strands. The UUP perceived that northern nationalists felt part of the Irish nation, and wanted an expression to be given to that. Possible levels at which this could be addressed could include at a

constitutional level in the Republic. It might be an institutional expression, with institutions on an all-Ireland basis. In this regard it had to be remembered that unionists, unlike nationalists, did not see the Irish nation as coterminous with the island of Ireland. Another level to address it would be within Northern Ireland, with a system of government which delivered equity of treatment, responsibility sharing and involvement at an equitable level in the administration. Underlining that would be the protection of group rights. The UUP said that unionism was less sure what nationalism wanted from the relationship with Great Britain. Was it purely an inconvenience to nationalists, or did they reluctantly accept a link, or did they actively want a relationship of some sort? Certainly there was a need to ensure they were fairly treated in the UK Parliament.

44. The UUP said that the ultimate unionist solution was full integration; the ultimate nationalist solution was a united Ireland. People were trying to achieve a compromise, and this threw up differences between the two communities. There was a clash of needs and requirements, which were not mutually exclusive, although they did conflict. A way to accommodate these had to be found. The UUP said it was important to recognise that unionism had moved a long way. Unionism was no longer arguing for majority rule, nor for total integration with the UK. Unionists were not opposing a recognition of the validity of the Irish identity of nationalists, or their sense of belonging to the Irish nation, or asking them simply to accept that they were British. It should also be recognised that unionism was no longer a monolith. In fact, there were no longer two homogenous blocs in the community, but a collection of different minorities. It was important that nationalism recognised where unionism had come from and how far it had moved - perhaps not as far as nationalism would like, but there had to be compromise. The UUP recognised the need for an agreement to get the support of a majority of nationalists in Northern Ireland. It was a question of finding a level which a

majority in both traditions would support. The party was not at the Talks to restore unionist domination or to try and achieve a wholly British solution. It recognised it might not get everything it wanted, and might have to settle for something short of that. Nor did it prejudice the right of the people to come back to the agreement at some point in the future and see if it could be improved on.

45. The Chairman adjourned the meeting for lunch at 1306, to resume at 1415.

**Independent Chairmen Notetakers  
11 March 1998**