

Peace in Ireland

FREEDOM, JUSTICE, DEMOCRACY, EQUALITY

MATTERS FOR CONSIDERATION:

A SINN FÉIN RESPONSE

A Sinn Féin submission to Strand Two of the peace talks
9 February 1998

Strand 2: North/South Structures

Introduction

The two Governments issued a joint paper on Strand 2: North/South Structures on Tuesday 27 January in the course of the first London sessions of the talks process.

In this they listed a series of matters for consideration which represent, from their joint perspectives, what "appear to be the principal issues to be agreed in relation to the establishment of North/South institutions."

Subsequently, Senator Mitchell in his role as Chair of the Strand 2 discussions requested the participants to submit in writing their respective views on the matters raised in the joint paper from the two Governments.

Sinn Féin have submitted a series of written positions on Strand 2 matters since the commencement of our participation in the talks process in September last year. The most recent of these is a paper on Regional Councils submitted on 27 January. Notwithstanding this, we are positively responding to the request by the Independent Chair.

In doing so, we note that in the joint document of 27 January that the two Governments restated their commitment to already agreed positions. We would hope shortly to see a comprehensive and detailed document from the two Governments which builds on and substantively develops these positions.

It is our long held view that the two Governments need to lead this process. Their agreed positions on these matters is of vital importance in moving forward.

We want to hear the views of the other participants and to discuss their proposals. We are particularly keen to listen to the views of the Unionist parties and to acknowledge their concerns.

Matters for Consideration:
- A Sinn Féin Response

Sinn Féin welcomes the opportunity provided by the joint paper of 27 January from the two Governments for having a detailed discussion. It is our firm belief that this needs to address an inclusive and comprehensive agenda, covering all of the issues to be resolved, with equality across and between the three strands of the negotiations.

- The broad issues which need to be addressed if the causes of conflict are to be removed and a lasting peace settlement found are:
 - sovereignty and constitutional issues;
 - demilitarisation, including the release of prisoners and the creation of a normal and acceptable police service;
 - the equality agenda, encompassing rights, safeguards and justice issues; and
 - new political arrangements and structures. Sinn Féin's preference, as we have outlined, is for a national democracy with maximum decentralisation involving a system of regional councils.
- The detail of new arrangements may occupy the minds of many of the participants. More importantly, this process is not about institutions alone but about creating a new and democratic agreement.
 - Demilitarisation and the equality agenda should be acted on immediately.
- New arrangements should, in the best interests of all the people of Ireland, aim to:
 - advance a process of national unity and reconciliation;
 - underpin political democracy;
 - recognise fully the diversity as well as the unity of the people of Ireland.
- Effective measures, defined in language which unambiguously upholds substantive fairness, distributive justice and participation rights in political, social, economic and cultural life, including symbolic expression, are necessary at the constitutional, legislative and institutional levels.

These are vital elements in any peace process. They are vital to the consideration of all the issues before the talks process. They are vital to any outcome.

- It has been argued that the broad purpose served by formal North/South structures and all-Ireland institutions, at this time, is an important element in a transitional trajectory towards a national, sovereign, representative democracy.

In broad terms this means powerful all-island bodies:

- exercising significant and meaningful executive and harmonising powers alongside consultative functions.
- with direct responsibility for policy and implementation of policy.
- operating independently
- immune from the veto of any proposed 6 county institution.
- with no limits on the nature and extent of their functions.
- with the dynamic and ability to develop and grow.
- with the range of functions to be discharged or overseen by the north/south body initially designated by the two governments.
- It is argued that institutions which will have executive powers of an all Ireland nature require an elected forum in the six counties. This is not necessarily the case. A system of direct elections through party panels in the north could ensure proportional representation to such institutions.
- The issues of rights and safeguards are of particular importance.

The comprehensive, systematic, effective and entrenched protection of civil, political, economic, social and cultural rights must underpin the establishment and operation of any agreed institutions and structures.

Accordingly there needs to be;

- a constitutional instruction in relation to these matters in addition to any statutory measures or enforcement mechanisms.
- an all-Ireland basis to the institutional underpinning of rights protection.
- Any new structures will have a legal basis.

The legislation - including constitutional instruction - must place upon them a statutory obligation in relation to fairness, justice and participation rights.

- An all-island consultative forum bringing together representatives of civil

society and the social partners could have a role to play in enhancing the concept of participatory democracy. Consideration of this should involve maximum participation including for example sections of our society which are often marginalised as a result of ethnic affiliation, race, disability, gender and sexual orientation. Sinn Féin is interested in developing and discussing further this proposal. All sections of our society should be able to impact on policy-making from the outset.

Sinn Féin will listen with interest to the views of participants on all these matters. We particularly look forward to hearing the detailed and comprehensive views of the two Governments.