



STRAND ONE SECRETARIAT

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22 October, 1997

STRAND ONE: MINUTES OF THE THIRD MEETING, 21 OCTOBER 1997

Attached are 3 copies of the minutes of the above meeting.

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22 October 1997

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Northern Ireland Negotiations

Str 1(97) 3rd Mtg

**STRAND ONE, THIRD MEETING
21 OCTOBER 1997**

Minutes

The meeting commenced at 10.10 with Mr Murphy in the chair. He proposed clearing the minutes of the previous meeting, then ascertaining whether delegations wish to continue discussing "principles and requirements" or to move to a discussion of "constitutional issues".

The UUP said that they had not received the minutes of the previous meeting. Other delegations had also not received them. **Mr Murphy** undertook to investigate the reasons for the delay and said that this minutes matter would have to be cleared at the next Strand One meeting.

No delegation indicated a wish to continue discussion of "principles and requirements". **Mr Murphy** proposed, accordingly, to move to "constitutional issues". He invited each party in turn to speak to its paper.

Constitutional Issues

The Alliance Party said that their paper, circulated the previous day, covered both Strand One and Strand Two. The central constitutional issue was the right of the people of Northern Ireland to decide their own future. It was necessary to ensure full democratic accountability for any new Northern Ireland institutions and to take account of the ongoing constitutional debate in the UK.

The Labour Party indicated that they did not wish to make a statement at this stage.

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The Northern Ireland Women's Coalition undertook to submit their paper later in the day. They stressed the need for any Northern Ireland institutions to be fully representative.

The PUP said that their position was firmly based on the position that Northern Ireland would not cease to be part of the UK except with the consent of a majority of the people of Northern Ireland. It was clear that such consent was not forthcoming. They would not be prepared to discuss any arrangements which had the effect of diminishing Northern Ireland as part of the Union. It was necessary for all parties to move to constructive discussion. The objective should be to achieve a united Northern Ireland, to the benefit of all its people.

Sinn Fein argued for an early move to real engagement on the core issues. They started from the position that Northern Ireland was a failed political entity. There could be no internal settlement. It was necessary for all parties to engage in constructive discussion.

The Alliance Party questioned the Sinn Fein suggestion that real negotiations had not started. The present process amounted to real negotiations.

Sinn Fein reiterated the need for all parties to engage with them. There could be no successful outcome if some parties refused to engage in dialogue with others.

The SDLP agreed on the need for an early move to negotiation on the core issues. Partition on the basis of the Government of Ireland Act had resulted in the Nationalist community in Northern Ireland being ignored. The United Kingdom Government's Ireland Act of 1949 had recognised the validity of only one tradition. Their experience of life in Northern Ireland had conditioned their approach to a settlement today. While they accepted the reality of partition and that any change in the present status of Northern Ireland required the consent of a majority, that did not mean that Nationalists consented to the status quo. A solution could only be found on the basis of "parity of allegiance". Acceptance of the principle of consent had been a fundamental change on the part of the Nationalist Community. It was the responsibility of Unionism to show a reciprocal willingness to contemplate change. Nationalists recognised that

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Unionists saw Articles 2 and 3 of the Irish Constitution as irredentist, but Nationalists saw them as an expression of their right to belong to the Irish Nation. Amendment of Articles 2 and 3 should only be contemplated as part of an overall solution.

The UDP reaffirmed that their position was based on the principle of Northern Ireland remaining part of the UK and that it was for the people of Northern Ireland alone to decide their future by democratic means. The objective should be "co-determination" within Northern Ireland on the basis of devolved institutions elected by proportional representation. These should be accompanied by protection of minority rights and civil liberties. The UDP proposed a bill of rights and a written constitution, with the incorporation of the European Convention of Human Rights into domestic law.

The UUP argued that rights issues were fundamental. They were prepared to incorporate the European Convention on Human Rights into domestic law and to agree to comprehensive arrangements for the protection of minority rights. They were concerned however about the SDLP concept of "parity of allegiance". This would be a core issue of the negotiations. Minority rights situations were far from unique in Europe and solutions had been found which did not challenge existing borders.

Mr Murphy introduced the British Government paper. This also covered Strands One and Two. He drew attention to the widespread agreement on the principle of consent and recognition of the need for a balanced accommodation of the outlooks of the two traditions on the question of constitutional status. Most of the papers submitted were consistent with the principle that the views of a greater number of the people of Northern Ireland should be upheld. There was also general recognition of the reality that the continuing consent of both traditions was essential to the success of any arrangements for Government. That was reflected in the voting rules for the Talks. All new constitutional arrangements, in order to be widely acceptable, were likely to need fully to respect and protect the differing identities within Northern Ireland and permit their full expression. They would also need to find methods of giving reassurance that all the institutions of the state would operate impartially and

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ensure full respect for the rights and freedoms of all. He hoped it would be possible in the negotiations to find wording that summed up the full extent of agreement on those principles. The British Government was committed to incorporating the European Convention on Human Rights into domestic law. A White Paper would be published in the near future.

Mr Murphy then invited a general discussion.

The Alliance Party recognised the need to secure full and active participation of both communities in any future arrangements but expressed concern about the SDLP concept of "parity of allegiance". It was difficult to reconcile this with an unambiguous position regarding the constitutional status of Northern Ireland.

The UUP argued that the issue should be addressed as one of minority rights within Northern Ireland as part of the UK, with the Council of Europe Convention for the Protection of Minority Rights, signed by both Governments, but not yet ratified, as the basis for a solution.

The SDLP did not accept, however, that treating the problem as one of minority rights would provide an adequate basis for a solution.

Sinn Fein reiterated the need for all parties to engage in real dialogue. There could be no solution based merely on negotiation between the SDLP and the UUP. There could be no internal solution. Responsibility for the problem lay primarily with the British Government who had been responsible for partition, which had increased division between the communities. Issues of demilitarisation and prisons also had to be addressed. They invited the British Government to outline its views on the causes of conflict referred to in paragraph 1 of the Downing Street Declaration and the Frameworks document.

Mr Murphy declined to enter into a deep historical debate about the causes of the conflict. It was necessary to move forward while recognising the lessons of the past. The British Government would accept its responsibilities to govern fairly and justly and to seek an overall solution to the problem. This could not be

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imposed by the Governments however. It was up to the participants to reach agreement.

The Alliance Party challenged the suggestion that the British Government was the cause of the problem. The reality was that the people of the island of Ireland were deeply divided. Partition had happened because that was the wish of a majority of the people in the Northern part of the island. The Nationalist community had to face up to that reality.

Sinn Fein argued that they had no problem with accepting the Unionist sense of Britishness. They were prepared to be open-minded and flexible in seeking solutions. It was necessary for Unionists to show similar flexibility.

The Labour Party argued for a solution which embraced both traditions and the concept of Europeaness. It was necessary to have a constructive engagement involving all parties. There could be no settlement without negotiations. The core question was how to protect the identities of the two traditions and to get down to practicalities of negotiating a solution for the governance of Northern Ireland.

Mr Murphy concluded that these had been a useful, plain-speaking discussion. He proposed, in order to allow more time for the preparation and circulation of papers, that Strand One should resume on Monday 27 October at 2.00pm, to address item 3 on the agenda. Papers should be circulated by 10.00am on that day. This was agreed, subject to a UUP intervention drawing attention to the Business Committee's wish to review the overall approach to the scheduling of business.

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