

Kala

(20 March 1998)

STRAND ONE PAPERS

Please find attached, in preparation for Monday's Strand  
One meetings:

- i. an agenda for 23 March;
- ii. minutes of the Strand One Meeting held on 4 March.

(20 MARCH 1998)

STRAND 1 AGENDA: 23 MARCH

Note by the Secretariat

The Business Committee meeting on 11 March agreed Monday 23 March would primarily be set aside for Strand 1 meetings. The proposed agenda for Strand 1 meetings on 23 March is as follows:

- 1100- Seminar with Secretary of State for Wales,  
1230 Ron Davies MP (5th floor Committee Room)
  
- 1330- Strand 1 meeting: further discussion paper  
1630 (circulated on 9 March)  
5th floor Committee Room

Draft

Northern Ireland Negotiations

Str 1(98) 12th Mtg.

STRAND ONE, TWELFTH MEETING

4 MARCH 1998

*Minutes*

1. The twelfth meeting of Strand One commenced at 10.30am on Wednesday 4 March, with Mr Murphy in the Chair and Alliance, Labour, NIWC, PUP, SDLP, UDP and UUP all present. There were two three hour sessions of intensive discussions on the Government's Strand One Synthesis Paper. The parties considered questions related to the roles of executive, committees and appointment of the executive in a Strand One institution. Safeguards, powers and coverage and financial powers were also discussed.

*Morning Session*

2. All parties joined Mr Murphy in condemning the murders of Mr Allen and Mr Trainor in Poyntz Pass. It was agreed that Mr Murphy should deliver a public statement on behalf of the participants.

3. Mr Murphy welcomed the UDP on their return to the Talks. The minutes of the Strand One meetings held on 2nd, 3rd, 9th and 23 February were agreed with the following amendments. The NIWC requested the deletion of the final sentence of paragraph 16 of the minutes of 3 February. The UUP requested the deletion of the reference to "Mr Nesbitt promising a paper on the Barnett formula" in paragraph 20 of the minutes of 23 February

4. Mr Murphy introduced the British Government's Strand One Synthesis Paper (dated 2 March 1998) and invited the parties to comment on questions dealing with roles of executive, committees and appointment of executive.

Roles of Executive, Committees and appointment of Executive

5. Alliance proposed a system of devolved Government to take account of the needs of the people with an executive operating under collective responsibility. The opposition would be given a strong scrutinising role in the Assembly committees. Labour supported the concept of proportionality running throughout the Assembly which would also be applied in the Executive. The role of the Executive would be to advance the implementation of a programme of Government.

6. The NIWC favoured a Committee structure selected on a proportional basis with safeguards. They had detailed proposals to table but unfortunately due to the sudden death of Bronagh Hinds' sister were unable to present their paper at present. The UDP proposed an expression of sympathy for Ms Hinds and her family.

*no executive*

7. The UUP suggested a Committee system, Chief Executive and Deputy Chief Executive. All business would be done in Committee with each Committee operating on a PR basis. The Committee Chairmen would run the Northern Ireland departments taking account of the views of their Committee. Committee decisions would be ratified by the full Assembly. The selection of the Head of Committee would be by PR with the party with the largest number of seats having the first choice by application of the d'hont formula. Each Committee would cost their budget for the year and the Committee Chairmen would be responsible for convincing the Chief Executive of his or her case for funding. *too much power to CEO!*

8. The SDLP proposed maximum power, executive, legislative and administrative for the Assembly. The Executive would be open to all parties to participate in subject to a threshold which would be a matter for clarification and negotiation. The Executive would be responsible for conducting Government business. Committees would provide a scrutinising role and perhaps a policy formulation role. Matters such as the size, distribution of party seats, senior and junior Ministers would all be open for discussion and decision.

9. The UDP's proposals were put forward in the context of envisaging a strong legislative Assembly. There would be a First Minister with Executive Ministers answerable to the Assembly and its scrutinising Committees. The UDP proposals were based on the Scottish model of devolution.

10. The UUP's model aimed to deliver a Government service operating as efficiently as possible while taking account of political reality and providing inclusivity by giving all parties the opportunity to be involved at the discretion of their electorate. The Chairmen of Committees would have significant powers with room to manoeuvre within their Committees. Backbenchers would have a meaningful scrutinising role in Committees. With regard to finance it would be necessary to discuss how the bid for funding to Treasury would be made and what role the Secretary of State would play in that process. The Chief Executive would have a co-ordinating and representational role and a negotiating role with bodies out-with Northern Ireland.

#### Afternoon Session

11. Mr Murphy opened the afternoon session by turning the discussion to Safeguards, Powers and Coverage and Financial Powers.

12. The UUP said they believed that the rights of all citizens should be accommodated within any agreement and suggested that the ECHR would offer protection to any citizens who felt discriminated against by a Northern Ireland Assembly. The UDP suggested that society had to move forward on a basis of co-determination. They advocated using a simple majority voting procedure for non-contentious issues but a weighted mechanism for controversial issues.

13. The SDLP said that they would be looking beyond the implementation of a Bill of Rights and the ECHR to safeguards of a political dimension. They advocated some form of sufficient consensus that would provide positive challenges for members of an Assembly. The NIWC noted the importance of the ECHR. They reserved their position saying that there were a number of issues (such as rules of procedure, weighted majorities, electoral systems and the definition of controversial issues) still to be agreed before they could take a firm view.

14. Labour said that checks and balances were needed in order to build up trust in an Assembly. Alliance were against institutionalising sectarianism but suggested that there was a firm political requirement for safeguards - it was not primarily for the purpose of encouraging a more efficient Assembly but to involve as many as possible in decision-making.

#### Powers and Coverage

15. The UUP said that they needed to be convinced of the need for full legislative powers. Alliance, PUP, SDLP and UDP were in favour of a devolved Assembly having full legislative powers. NIWC / Lab?

#### Financial Powers

16. Alliance and PUP were in favour of tax raising powers whilst the UUP expressed concern that this might threaten the amount of subvention received from Treasury and in practice only be a method of increasing rather than decreasing taxes. The SDLP suggested that a new Assembly should have responsibility for levying certain fees and licence charges and other taxes such as those arising from landfill and sulphur emissions. They suggested that the overall financial position should be looked at before seeking other taxation powers.

17. Labour proposed a cautious approach to tax raising powers and suggested that any discretion on tax would, in practice, be extremely limited. What really needed to be addressed was varying Northern Ireland's corporate tax regime to help tackle economic problems.

18. The meeting adjourned at 5.30 pm. Mr Murphy indicated that HMG would provide a further paper covering areas of convergence, together with those areas where agreement was still needed.

STRAND ONE SECRETARIAT