

Office of the Independent Chairmen

Castle Buildings Stormont Belfast BT4 3SG Northern Ireland
Telephone 01232 522957 Facsimile 01232 768905

SUMMARY RECORD OF STRAND TWO MEETING - TUESDAY 28 OCTOBER 1997 AT 10.12AM

CHAIRMEN: Senator Mitchell
Mr Holkeri

THOSE PRESENT: British Government
Irish Government
Alliance
Labour
Northern Ireland Women's Coalition
Progressive Unionist Party
Sinn Féin
Social Democratic and Labour Party
Ulster Democratic Party
Ulster Unionist Party

1. The Chairman opened the meeting. Thanking participants for their good wishes towards him expressed the previous week during his absence, he proposed that the minutes of the meeting held on 14 October be approved. Hearing no objections, these minutes were approved. He then proposed that the minutes of 20 October be approved. Upon a suggestion from the UUP, it was agreed to defer consideration of these minutes until the following week. The Chairman then invited participants to make opening statements on item 3 of the agenda, 'Nature, Form and Extent of New Arrangements', papers on which had been circulated by the Chairman's Office.
2. The British Government said it welcomed the fact that participants had now reached the point on the agenda when they were all beginning to put ideas about structures on the table. It said there was a general anxiety around the table to get into the core issues as soon as possible; the tabling of the papers would help do this. It said many people shared the view that this part of the negotiations, involving relations between Northern Ireland and

the Republic of Ireland, would be one of the most challenging on the agenda. If they could negotiate their way through it, to a successful conclusion, it could be one of the keys to unlock the process. The British Government said that, as with other parts of the talks agenda, what they discussed under this item would have implications for negotiations in the other two strands. It was impossible to start thinking about ways of developing a new, agreed relationship between the peoples of this island without opening up issues about the implications for new elected institutions in Northern Ireland, relations with the rest of the United Kingdom, the Republic and the European Union, and the implications for the Anglo-Irish Agreement. The negotiations in this strand would therefore have to move, to some extent, in parallel with progress in the other strands.

3. The British Government said the approach it had taken in its paper was to highlight what it saw as the main issues for consideration under this item. These were: should there be new institutions. If so, what they should look like, what their status should be, the source of their authority, their powers, functions and responsibilities, how they should operate and to whom they should be accountable. The British Government took the position that there was a strong case for new North/South institutions, which would take account of the totality of relationships and would help the people of the island to work together on matters of common interest while respecting their diversity. The institutions might take the form of a North/South body made up of elected representatives from the two jurisdictions. If agreement could be reached on a body like this, the British Government believed it could significantly increase the prospects for reaching agreement across the negotiations as a whole, in a way which attracts the allegiance of both main parts of the community.

4. The British Government said a key part of its analysis was that any new North/South institutions should allow for a strong co-operative relationship, that they should be established with the agreement of the parties on a basis which they support, that they should be dependent on and accountable to the relevant administrations in Northern Ireland and the Republic, and that they should be capable of development by agreement

between the two jurisdictions. Decisions within the new institutions should be taken on the basis of consensus. The British Government said its paper went through these, and a number of other related issues. It ended by referring to the outline model 'A New Framework for Agreement', which it commended as a useful basis for discussion. It said the ideas in that paper attempted to reconcile the different interests in a balanced and realistic way, but the British Government recognised that it was only one way of balancing the different interests and if others emerged by consensus in the negotiations, it would be ready to consider them seriously.

5. The British Government said its objective was to facilitate and encourage agreement on new arrangements which both the main parts of the community could support and to which they would be ready to give their allegiance. It said it would therefore follow with great interest the ideas and arguments from the other participants to whom would fall the responsibility of operating any new arrangements in this area.

6. The Irish Government said today's discussions brought the negotiations to the heart of the discussions on relationships, by which it meant the nature, form and extent of the new institutional arrangements which would reflect and accommodate the relationships on the island. It said the two Governments had offered their shared understanding of such institutional arrangements in the Joint Framework Document. The Irish Government believed that a particularly strong North/South body should be established and equipped with the necessary powers to enable it to maximise the shared potential of the island for the good of all who live on it. It said it saw a North/South body as an essential part of establishing a balance of allegiance on the island. As it had said before, such a body would allow Northern Nationalists the chance to share with Unionists the sense that their aspirations and identity were reflected in the governance and administration of their home place.

7. The Irish Government said that no one element of the negotiations could be taken in isolation. The participants were present to negotiate the totality of what had rightly been

described as three interlocking relationships. They could not, therefore, devise structures in Strand Two without taking into full account the parallel negotiations taking place in Strands One and Three. The Irish Government said it would look positively at all the papers tabled today. It said it was not tied to any precise outcome, only to the need for agreement. Above all, it was committed to the requirement to be fair, to be bold and to be innovative, and not to be bound by the need to follow precedent elsewhere. The Irish Government said it looked forward in the coming weeks and months to a fruitful and positive engagement with colleagues on this central issue of the negotiations.

8. Alliance said the views they had expressed in the papers it had submitted under 'Principles and Requirements,' and 'Constitutional Issues' formed the framework of their thinking. It said Strand Two could not be taken in isolation from Strand One. It was thus difficult to see what form Strand Two structures would take without first seeing some clarity in Strand One, particularly as a North/South body would be based on Strand One institutions. Alliance stressed the need for democratic accountability for any new institutions in both jurisdictions; otherwise they would engender suspicion, distrust and resentment on both sides. This was for all of the elected parties who are prepared to take part. The party looked forward to all of the parties getting down to substantive issues.

9. Labour referred to the announcement of the previous day that the United Kingdom would eventually enter the single European currency. It said the Framework Document gave the impression that the two parts of Ireland were hermetically sealed from each other. This, it said, was untrue. There had been significant co-operation since the 1960s between both parts of the island at civil service and Northern Ireland government level. Indeed, there had been considerable co-operation and consultation since 1922. Labour said there were two excellent civil services in Ireland, and they had seen the need for this co-operation. It said there was a need for any future co-operative body to be democratic, accountable and transparent in its deliberations and actions. Public representatives should be in control. There must be no quangos which, it said, had proliferated in Northern Ireland. It said paragraph 12 of the Irish Government's paper was a clear statement that

functions designated to a North/South body must not be the preserve of one side only; responsibilities must be ceded equally by both jurisdictions.

10. The NIWC said Northern Ireland arrangements should be formulated with a clear understanding that they would be central to proactive North/South co-operation. All North/South bodies should reflect the full and equal legitimacy and worth of the identity, allegiance, aspiration and ethos of both Unionists and Nationalists. The party said any North/South bodies should be established to enhance and enable co-operative and constructive relationships between political representatives, civic leaders and people on the island of Ireland. Such bodies should continuously seek to build on the benefit to both the North and the South of economies of scale and avoidance of duplication. The NIWC believed participants in North/South bodies should be drawn from both chambers of the Northern Ireland Political Forum/Assembly, and should ensure balanced representation of politicians, civic society as well as ensuring gender balance.

11. The PUP said it believed the whole process was about relationships, taking responsibility, and creating relationships which can function in all three aspects of the totality of relationships. It was conscious of the requirement for accountability, not just in Northern Ireland alone. The party said it was inconceivable that they should take power themselves in Northern Ireland for the first time only to give it away to a North/South body sitting in Cavan. The people of Northern Ireland were a capable people, and there was no need for an all-Ireland beef tribunal. The PUP said they were prepared to go some way to allay the understandable fears in some sections of Northern Ireland that there would be a repeat of the abuses of power that had occurred in the past. But in order to completely allay these fears it would be necessary to build trust between their people. The PUP said the special relationship on this island had to be based on co-operation. But co-operation did not mean manipulation or dynamism in one direction. It said Unionists had every right at this time to be reticent, and urged them to have confidence in their own positions. It said the vast majority of people, North and South, favoured new institutions. For the first time they were going to take responsibility for themselves, and it would be necessary to make

faster progress than they had to date. This progress would be easier achieved in Strand Two if they were to accept the principle of consent. It asked what Strand Two institutions meant vis a vis Strand One. This matter was unclear, and the round of opening statements and party positions was holding back negotiations.

12. Sinn Féin said the Framework Document was the first time ever that a British Government had admitted that partition had not worked. It wondered why a British Government would propose cross border bodies with executive powers if it did not agree that partition had been a failure, and said it was heartened to see the British Government state publicly that the resolution to the problem lay in uniting the people and structures of Ireland. Although it still held certain reservations about the Framework Document, it described this as a progressive development. Sinn Féin said the Framework Document posed challenges to everyone. It said the three strands were inter-linked. The northern state had failed everyone, including the people of Britain. It said the way forward now was to unite the people. It accepted that this prospect scared Unionists, and took no satisfaction from this. It said there was an acceptance now by everyone involved in the Northern Ireland problem that the resolution lay in an all-island context. Sinn Féin said it was here to listen respectfully to the UUP, and asked that they do likewise with them. Their only hope was to resolve the problem together. They were engaged in a massive debate between Unionists and Nationalists, the two Governments and the political parties. It was time that the British Government and the Unionist parties discussed how they were going to drive this debate forward.

13. Sinn Féin accepted that Unionists feared the British Government's admission that partition had failed. It said this was traumatic for them, and it understood that. Therefore they should engage in an honest debate. It said Unionists feared they were on a slippery slope to a united Ireland and that the British Government would give up both its authority and its sovereignty in this part of Ireland. Sinn Féin was interested in how the situation would be in 10, 15 and 20 years' time. It said the logic of the republican position was to end the divisions so that all could benefit from an agreed Ireland, the economic arguments

for which were compelling. It said this was the way forward, particularly with regard to the European Union. It said many Unionists accepted the arguments for an all-island economy. The party looked forward to a debate on issues of sovereignty over the weeks and months ahead. It observed that it had been Conservative British Governments under John Major and Margaret Thatcher that had acknowledged that the way forward lay in the context of uniting the people of Ireland.

14. The SDLP said they had had initial discussions on 'Principles and Requirements'. It was now important as they moved beyond them that they remind themselves where these proposals were rooted. It said it was a political imperative that Strand Two issues derived from the sense of identity and allegiance of the people of Northern Ireland. For Nationalists this meant their identity and allegiance with the rest of the island. It said the conflict arose from the clash between the identity and allegiance of the Unionist and Nationalist traditions. This clash had to be addressed within the totality of relations. They must also recognise and accept that they must address issues taking full account of the principle of consent as it is generally understood. The SDLP said there were two clear bases for the need for institutional expression of relations within the island: (1) the political imperatives; and (2) the more practical political, socio-economic and cultural issues. The party said there was a tendency to concentrate on the practical issues and disregard the political imperatives as being nebulous and not significant. It said the need to give political expression in institutional form on an all-island basis to the nationalist aspiration had received clear recognition since 1921. The explanatory memorandum to the Government of Ireland Act provided for the possibility of a Council of Ireland that could lead to a single parliament. Thus, historically, the case had been made.

15. Turning to practical considerations, the SDLP referred to the many representations to the New Ireland Forum and the Forum for Peace and Reconciliation made by representatives from bodies within Northern Ireland, from the Republic and from cross-border bodies, calling for increased co-operation and co-ordination in public sector policies. It said the case for a single island economy had been repeatedly made by commercial

sectors within Northern Ireland. These organisations were calling for support from the political sphere. The party referred to paragraph 8 of their paper, in which they said that, as they moved towards agreed and negotiated structures, it wished to see two key principles regarding the rights of both communities. It repeated what it had said last week regarding the capacities, functions and general responsibilities of a North/South structure. It was addressing this subject bearing in mind Strand One and Three arrangements. North/South bodies needed to be meaningful and effective and capable of operating in an appropriate manner to the mutual benefit of all the people of the island.

16. The SDLP said that the principle of consent was the over-riding principle. They would be looking to a consensual approach, and would be informed by their experience of the EU in which institutions were established on a consensus basis within a framework of democratic principles. These institutions took decisions effecting a community that had grown from six to 15 member states and in which sovereignty was pooled. They were putting forward practical proposals for the shape, form and powers of North/South bodies on the basis of clearly established and enunciated principles.

17. The UDP said it had not submitted a paper as it had already outlined its position and because of shortage of time. It thanked those parties that had submitted papers, which it had found helpful. The party said the nature, form and extent of institutional arrangements was a crucial and perhaps the most difficult aspect of the negotiations. In Strand One the previous day they had heard the position of some parties regarding executive powers which the southern Government would enjoy in a cross border body. The UDP was opposed to a role for the southern Government in the internal affairs of Northern Ireland. It said they had to resolve the problems in Northern Ireland first, but it was not opposed to co-operation with the South to the benefit of all, North and South. The party felt it was helpful going through the agenda first; the sooner they got into the negotiations the sooner they would resolve these issues.

18. The UUP referred to comments by the Irish Government when they emphasised the difficulty of addressing in any detail Strand Two institutions as the three strands were interlinked. It would be difficult to do so until they knew what progress had been made regarding Northern Ireland devolution and relations between the United Kingdom and the Republic of Ireland. The party said there were two states in the British Isles; any relations established should reflect this reality and address the totality of relations within these islands - not within this island as some would suggest. All of this must be predicated on acceptance of the law and practice of the territorial integrity of the United Kingdom. The UUP said this issue must be viewed in the context of 1921 when the southern part of the island broke away and then developed a narrow nationalism and inward looking policy. This policy had failed those who had emigrated and those who lived in the border counties. The party said there had been 300,000 people living in Donegal in 1921, and compared this with the current figure of 100,000. It said a similar decline had occurred in Leitrim and Monaghan. Partition had been a failure for these people.

19. Since 1973, when the Republic joined the EU, the UUP said it had been moving back towards the United Kingdom. Common policies had been established that were bringing the two countries closer together on a daily basis. It said the three Northern Ireland MEPs had worked with the Irish MEPs in the European Parliament. The same was true of the Council of Europe. It noted that the Republic was now an observer in the WEU - they were developing a common defence and security policy. They were moving closer to the unity of the British Isles since 1973. The party said there was scope for co-operation in areas such as agriculture, fisheries, tourism and transport infrastructure. But this was nothing new. There was more scope for co-operation now as they were both now EU members. The UUP had no opposition to co-operation in health, tourism, transport matters, but there was no need for all-Ireland bodies to give effect to economic and social co-operation.

20. The UUP said the Irish Government paper had referred to the need for both traditions to find expression for their identity and allegiance across the three strands. It

referred to the Irish minority in Northern Ireland, and said the British majority had more interest in East-West links. It said more people in County Antrim watched Scottish TV than RTÉ; it said the circulation of the Scottish 'Sunday Post' was greater than all three pro-Irish papers combined. It said more people went to Scotland to watch soccer matches than the Republic, including Celtic supporters. It said more people went to Scotland on holiday than went to the Republic, and said 8,000 vehicles from Northern Ireland travelled to Dublin per day, compared with 16,000 going to Scotland. It said the unionist people looked west and not south.

21. The UUP said the Irish minority in Northern Ireland, through their representatives and the Irish Government, were misreading the real feelings of the people of Northern Ireland. It said they should lower their sights as their expectations were unrealistic. The party said Strand Two was linked to Strands One and Three. It said Articles 2 and 3, which it had raised the previous week, were also involved. It said the party had received two oral and one written contribution on the subject of Articles 2 and 3 from the Irish Government, and said it wished to place on the record the fact that these had been inadequate. The UUP would pursue this matter further or it would remain an obstacle to the other North/South and East/West issues.

22. The SDLP asked the UUP if it was in favour of any North/South bodies. The UUP replied that it favoured cross border co-operation, but was opposed to cross border bodies with executive powers. Sinn Féin said the UUP had referred to 'the people of Northern Ireland' when it represented only one section of the population, and asked on behalf of whom it was speaking. It said all of the Unionist parties had spoken of the need for a specific relationship with the rest of the island - they had said what they did not want, but Sinn Féin wanted to know how that specific relationship would manifest itself. It said the PUP had said there was no need for an all-Ireland beef commission, yet Northern Ireland producers had said their beef was Irish during the BSE crisis. It asked whether the UUP and others could explain what this specific relationship should be, and what form it should take. Addressing the British Government, Sinn Féin referred to the UUP's stated affinity

with Scotland, noting that it had not said 'Britain'. It said the two Governments had committed themselves in the Framework Document to a settlement with an all-Ireland character. It said the UDP had said it did not want any Irish Government involvement in Northern Ireland, yet it was sitting in the same room as the Irish Government. Sinn Féin asked the British Government whether it envisaged a settlement with all-island bodies.

23. The UDP observed that Sinn Féin did not want British Government involvement in Northern Ireland. It said that it wanted good neighbourly relations with the Republic - economic co-operation that would be to the benefit of people, North and South. Sinn Féin said it had asked about structures, not ethos. The UDP replied that no-one should be surprised at its position on Irish Government involvement in Northern Ireland. It said loyalists were not backward thinking on devolution or relations with the Republic. They should look at relationships symmetrically, along with developing relationships in the British Isles.

24. The SDLP asked the UUP to elaborate on the last paragraph of its paper in which it had said that it was futile to discuss arrangements until the realities of the situation had been accepted. It said the implication was that it would be futile to discuss arrangements until the other participants had accepted the UUP's understanding of reality. The UUP reiterated its belief that it was futile to discuss North/South arrangements. It said it was prepared to discuss realities and, until these were understood it would remain futile to do so. It said there were two nations in the British Isles - the United Kingdom and the Republic of Ireland, even if the Irish did not like this. The party said there was more interest in relations with Scotland and Britain than with the Republic, and pointed to recent opinion polls that the majority of Northern Ireland people would not accept cross border bodies with executive powers. The UUP wanted to work with the parties, but this reality had to be accepted. It said the Irish Government must accept that Articles 2 and 3 were an obstacle that had to be addressed at an early stage.

25. The SDLP asked whether the UUP would include in its reality the new political realities, the new ball games, which it said the party had ignored. It said it would be impossible to negotiate a settlement if the UUP were to take the absolutist position it had outlined today. The party said it was going to be difficult. It asked whether the UUP would accept that, given the experience of the past 20 years, the two Governments could make agreements between them, or whether it was ignoring this fact.

26. The UUP said much had already been spoken about 'new ball games', but such descriptions only showed up the ethnic differences between those of an Irish disposition who failed to speak with any clarity and those of a British disposition who spoke in clear terms. The UUP said it looked forward to working closely and developing relationships with Scotland and with Wales etc and it would address the fundamental issue that in the last 20 years the Republic of Ireland had moved closer to the United Kingdom, through membership of the EU. These were the type of changes which people in the nationalist community had to accept. The party said, that given this, it had to ensure that the expectations of those representing the Irish identity at the talks, which were too high, would have to be reduced if any significant progress was to be made. The UUP said that it believed people in the nationalist community already knew that these expectations would have to be reduced in order for a settlement to be reached.

27. The SDLP asked the UUP whether it agreed that the UUP's attitude hadn't changed since 1921. The party asked whether the UUP was now telling everyone whether 1997 was the same as 1921. The party said this was surely not the case. It was a much smaller and different world. There were televisions, motor cars, radios etc in every household which were not there in 1921. The SDLP added that few could have said 50 years ago that Europe would now be united but yet the only people in 1997 who didn't want countries to come together were the UUP. The party said that given the fact that the rest of the people in Europe were working together in common interests, why could Ireland not do the same? Why was it not possible to have consensual institutions in Ireland to undertake this for

everyone? This was common sense, yet judging by the position and remarks of the UUP it seemed that this party hadn't moved since 1690.

28. The UUP said it was disappointed with the previous contribution. The fact was that nationalism had moved away from 1921. The days of an inward looking Irish Republic were over for good. The party said countries were co-operating well right across Europe. The UUP said it wished to co-operate with the Republic from within the United Kingdom but such co-operation had to be on the basis of mutual recognition and respect. This was where the root of the problem lay. Real co-operation had to be taken forward on a structural basis and had to be founded on the realities of today and not in the nationalist dreams of 1921. The SDLP said the UUP had not listened properly to its earlier contribution. Sinn Féin said obviously the UUP hadn't been listening to the SDLP remarks, and was ignoring the fact that unionist people in various organisations, religious, economic and sporting, were trying to come to terms with their place in the scheme of things on an all-Ireland basis.

29. Sinn Féin said it had asked earlier about what type of relationships unionists wished to see between Northern Ireland and the Republic. The party said the UDP had answered this in terms of good neighbourliness but had not answered the question in terms of the structure of those relationships. The party said it had also asked the British Government earlier whether it, along with the Irish Government, was committed to a settlement of an all-Ireland character as epitomised in the Framework Document. Sinn Féin said it simply wanted to understand where unionism was coming from. It said it might adopt the same approach to the process if it were the UUP, ie not wanting to move forward, but where did these ethnic differences, mentioned by the UUP earlier, come from? Sinn Féin said there was no such thing as a nation of Northern Ireland or an Ulster nation. The party said that prior to partition unionists had described themselves as 'loyal Irish'. There were loyal Irish patriots who had also been worshipful grand masters of an institution which was and remains an all-Ireland body.

30. Sinn Féin said it couldn't believe the UUP was serious in its comments about ethnic or racial differences. The real problem was that there was now a different situation to what they were used to and the protection which they enjoyed under the current governmental arrangements would be removed. Sinn Féin asked what would then happen when this position arose? What would both Governments do then? What would the unionists do then? The party said it was simply not enough for the UUP to say they wanted good neighbourly relations. The question was what structure were these relationships going to take. The truth was that the unionists just didn't want to move as was the case with Stormont, the B Specials and the UDR. But those bodies were all gone nonetheless.

31. The British Government said that any agreement had to be based on taking into account arrangements put forward in all three strands. That was the package. The British Government said it wished to see a North/South body dealing with those matters which the UUP had earlier mentioned such as economic investment, agriculture, fisheries etc. The British Government said the UUP had also talked about structured co-operation with Scotland, but there could also be the same structured co-operation between not just Belfast and Edinburgh, but Belfast and Cardiff and Belfast and Dublin. The British Government said there was no reason why structured co-operation couldn't occur on an all-Ireland basis. In referring to the UDP's earlier remarks about there being no interference from the Republic of Ireland, the British Government said its view was that any North/South body would deal with co-operation and not interference.

32. The UUP expressed puzzlement over parts of the SDLP position as stated in the paper submitted for consideration by the present session. In particular paragraph 10 included the term 'dynamic'. What did this mean in relation to the proposed North/South institutions? The UUP disagreed with the conclusion in paragraph 6 that significant gains would flow from the creation of a single market on the island of Ireland. Northern Ireland was presently within a market of 52 million people. How would things be improved in a market of only 5 million? In paragraph 7 it stated that the existence and operation of North/South arrangements cannot be dependent on the decision of any one political

interest. What did this mean? Also surely the SDLP must realise that there would be no support from a majority of unionists for any body with all-Ireland executive powers. The UUP also asked that the SDLP meant by the totality of relationships within these islands.

33. The SDLP said that it wanted to help solve a problem. There were three sets of relationships and the totality of relationships meant those three sets of relationships. Insofar as a single market in Ireland was concerned this made sense; unionists simply had to ask the business community. A single Irish market didn't mean that goods could not be exported to say, Germany. The problem was that unionists were seeking to live behind a siege wall.

34. The UUP denied living behind a siege wall and said that the questions asked had not been answered by the SDLP. The UUP remained unconvinced about the need for the creation of an all-Ireland market as such. It did not make economic sense. Northern Ireland could export goods to Germany without the existence of an executive authority. Presently only 7% of Northern Ireland's trade was with the Irish Republic and 93% went elsewhere. The Irish Republic itself was now part of a wider economy as manifested by the number of British retail outlets which operated on Grafton Street in Dublin. In reference to earlier mention of 1921 the UUP said that it had opposed the creation of Stormont at the time. It was true that 2,000 B Specials had gone but there were now 8,000 members of the RIR.

35. Alliance said that it considered the UUP reference to minority and majority as being arrogant and offensive and divisive. Some members of the community regarded themselves as Irish but not as nationalists. The UUP said that it had used the terms 'minority' and 'majority' not in a religious sense but to indicate the community split between nationalists (some 40%) and unionists (some 60%). In relation to the British Government's point that there was no essential difference between a Belfast - Edinburgh body and a Belfast - Dublin one the UUP considered that there were in fact two essential differences

namely that Edinburgh was in the United Kingdom and Dublin was not, and that the impediment of Articles 2 and 3 did not exist in the case of Edinburgh.

36. Sinn Féin said that the present discussion would be funny if it was not so serious. The unionists are confronted by a decision by the two governments that the status quo will not continue. The party asked the UUP how may they justify their present position in the context of the situation that the community is expecting change? The UUP did not respond to this question. Sinn Féin went on to say that the prospects for success of the negotiations were all the slimmer by the UUP refusal to answer questions put to it by Sinn Féin. There will come a time when the Ulster Unionists will have to budge. The present situation was all very sad. In South Africa the act of sitting down together was in itself an acceptance that change had to come. Some of the older UUP representatives had in the past signed up to discrimination, equality and injustice. Sinn Féin had expected more from the younger UUP representatives and was very disappointed. Nevertheless as Chief Buthelezi had been outflanked in South Africa so the Ulster Unionists would have to change from their present childish behaviour. The overwhelming majority of people would not be impressed by the UUP position at this present session.

37. The SDLP expressed sympathy with some of the sentiments expressed by Sinn Féin but was of the view that in spite of the rather derogatory litany of comments about nationalists by the UUP progress was still possible. The SDLP paper sought to address the totality of the set of relationships across the three strands. The UUP was seeking to misinterpret the party's position on the economic dimension. The second main focus was on the principle of consent and the third was respect for the right of the two traditions. The object was to rid the community of the effects of the majoritarian approach adopted by the unionists. The UUP had earlier asked about the significance of the term 'dynamic' in paragraph 10 of the party's paper. It meant that the body must be capable of developing or evolving, that it must be meaningful and capable of continuing to deliver in changing circumstances. It was not intended as a threat of any sort to refer to the new institutions as dynamic. The SDLP frequently hear unionist politicians complaining about quangos and

the absence of democratic involvement. Why could unionists not welcome nationalists participation in the proposed new institutions? The unionist parties were presently taking a minimalist approach. Were they prepared to offer nothing under Strand Two?

38. The UUP said that what happened in Strand Two was relevant to Strand Three. Any new arrangements for the administration of Northern Ireland would be in the context of a broader agreement. The Anglo Irish Agreement has failed. The party wanted to see a new British-Irish Agreement which addressed the totality of all of the relationships and the party would not endorse a framework based solely on the island of Ireland. The UUP was not playing games nor were its spokespersons, as had been alleged, trying to be funny. Any agreement must recognise the totality of relationships. Two weeks ago the SDLP had said that all-Ireland institutions were a matter of right for nationalists and that these should not have to pass through the filter of unionist consent. The SDLP had got to recognise the rights of unionists. The UUP supported the decentralisation of power in the United Kingdom. There was presently a democratic deficit in Northern Ireland given the present restricted powers of local government bodies. To attract UUP support any arrangements introduced affecting Northern Ireland had to be accountable to the people of Northern Ireland. The party would not accept any free-standing cross-border body with executive powers. Such a body would be anathema to the party. The SDLP's concept of a 'dynamic body' appeared to be such a free-standing non-accountable body. The principle of consent had to be the guiding principle and the people of Northern Ireland alone would decide. The recent developments in Wales and Scotland were very relevant to the situation in Northern Ireland.

39. The Irish Government said in relation to North/South institutions it considered that there was a good argument from a unionist viewpoint in favour of such institutions and it was a compelling argument. The creation of a North/South institution would provide legitimacy and remove dissension. Insofar as the earlier references to Irish sovereignty by the UUP were concerned the picture was not one of a progressive sharing of sovereignty

with the United Kingdom alone on EEC matters but rather an enthusiastic sharing of sovereignty with 14 other countries.

40. The UUP said that the point made by the UUP remained valid. The Irish Republic was pooling more and more sovereignty with the United Kingdom. The party asked the Irish Government whether or not it would be joining the Community's monetary union arrangements irrespective of the timetable of the United Kingdom. The Irish Government affirmed that it would be.

41. The SDLP identified what it considered to be a crucial contradiction in the unionist position, namely their demands for both treatment on a regional basis within the United Kingdom and a right to self determination. The UUP responded that there was no such contradiction in that the peoples of Scotland and Wales had each recently voted separately and alone within the United Kingdom on the issue of their self determination. The SDLP said that the county of Somerset, for example, did not have the right to self determination. Northern Ireland was not a region of the United Kingdom. The party went on to say that, of course, it wanted to be involved in the largest market but that that was not the main issue. The uniqueness of the political situation in Northern Ireland had to be addressed and a qualitative political change on the part of unionists was necessary. Nationalists for their part were not going to permit the legitimacy of nationalism to be decided other than by nationalists. The unionists were seeking to use consent solely as a unionist veto whereas the reality was that nationalists and unionists both had vetoes.

42. Sinn Féin asked if there was not a case for a specially commissioned study of the all Ireland economic situation. At this point Sinn Féin said that its press advisers had just reported that a member of the UUP delegation had gone out to the press representatives to report that the Irish Government had been "shell-shocked" by the unionist position this morning. The party asked the UUP for its view on this matter. The party paused for a response. The UUP declined to respond when asked by the Chairman if they wished to respond.

43. Sinn Féin went on to say that it was not surprised at the unionist press conference. Sinn Féin did not perceive that the Irish Government was 'quaking in its shoes' over the matter and the party went on to say that it would have been quite surprising if the UUP hadn't rushed out to speak to the press. It was in Sinn Féin view "a little bit of exhibitionism" and the party appreciated the pressures on the UUP. Sinn Féin went on to say that there comes a point when sovereign governments have to intervene in order to transcend situations such as that created by the unionists. Such an instance was the Anglo-Irish Agreement. The unionist position as expressed at the present session was actually damaging to the negotiation process. It could be summarised as: forget about the problems, there should be no north-south body with executive power, and everything could be sorted out to a unionist agenda. The reality however was that there is no future for unionism separated from nationalism on this island. Sinn Féin said that it appreciated the need for some grandstanding on the part of unionists in the present circumstances but there had got to be some progress otherwise the parties would simply bore themselves listening to each others entrenched positions. Sinn Féin considered that it was childish of the UUP to continue to ignore its questions and said that there was a need to cut out such childishness.

44. The UDP said in relation to alleged unionist intransigence that it cut both ways, for example, in the Strand One session on the previous day the SDLP had said that there would be no agreement on Strand One without cross border institutions. The party was unclear at this point as to where this position could lead. Its view was that some relationship with the Irish Republic was possible but that both the Angle-Irish Agreement and Articles 2 and 3 were impediments to progress in that direction. Such a relationship would have to be transparent, symmetrical and based on accountability. There was a suspicion in the unionist community about the British Government's motives, but the major impediment to the development of a unionist relationship with the Irish Government was the absence of respect by it for the territorial integrity of Northern Ireland as an integral part of

the United Kingdom. If the Irish Government wished to create a better relationship with unionists then it should act to remove Articles 2 and 3 from the Irish Republic's constitution.

45. Sinn Féin referred to the earlier stated statistics on travel to GB and south of the border by the UUP and said that probably half the vehicular traffic to GB originated in Donegal, an Ulster county that is not part of the United Kingdom. The statistical picture, in any event, had come about because of partition. Republicans and nationalists recognised that an overall settlement must acknowledge the unionist position.

46. The Irish Government said that the proposed north-south structures would give expression to the cultural identity of northern nationalists. These were not the preferred option for many nationalists. There had been an obvious shift of the nationalist position. Everybody had to give credit for such shifts. Nationalists give credit to the Ulster Unionists who are, against the odds, at the talks. Did the unionist delegates not give credit to nationalists for such movement? In the context of a balanced accommodation Articles 2 and 3 are up for re-negotiation. We have to start giving credit to each other. The Irish Government appreciated that unionists feared that a north-south body was a subterfuge. However, to say that the matter could not be discussed was a negative attitude. The Irish Government asked if the UUP accepted that the Irish Government had shifted its position on Articles 2 and 3 since 1992. The UUP responded 'almost no'.

47. Alliance said it was ironic, in relation to the Irish Government revelation that it would be joining the European monetary system, that no consideration seemed to have been given to the effect on Northern Ireland of such a decision. The SDLP interjected that it would like to ask the British Government whether it had considered the damage its decision not to join the single currency system in 1999 could do. Alliance went on to say that nowhere had negotiations succeeded where they had been laced with insulting language. Such was inherent in the earlier UUP reference to the alleged difference between unionists and nationalists. The other disappointing feature of the present session was the almost total absence of flexibility and the conditional nature of the negotiations. In the latter

connection the Irish Government was asking the unionists to do something before Articles 2 and 3 were removed and, in spite of its plea for flexibility on the part of others, Sinn Féin's document on Strands One and Two did not appear to contain even a sniff of flexibility. Alliance's view was that there was a general reluctance on the part of the major parties to move from entrenched positions. Sinn Féin interjected at this point to say that they meant what they had said on the issue of flexibility. Alliance responded by asking where in their document has there been a hint of flexibility to which Sinn Féin responded by stating that it was perfectly legitimate in its view for the parties to the negotiations to begin with a position. Problems would arise however if no subsequent negotiations were to occur. It would not be Sinn Féin's fault if other parties did not want to talk.

48. In response to several comments about the prolongation of the session the Chairman enquired if the parties were prepared to complete the session rather than adjourn and resume after lunch. It was agreed that the session would be completed.

49. The SDLP said that the unionist parties kept coming back to the SDLP proposal for north-south institutions, ignoring the SDLP's commitment to the totality of relationships. The unionists were now trying to reduce the entire problem to a matter of territorial integrity. The SDLP was not in fact asking anything under Strand Two which would diminish the unionist sense of identity. Rather it was seeking to give nationalist people an equivalent sense of belonging. It was important to the process that nationalists and unionists engaged as equals. The unionists should stop misrepresenting the nationalist position and should try to respond to the nationalist need for identity. The present session was most disappointing in that it appeared that the basis for agreement had not even reached the mark of what had previously been agreed between unionist and nationalist representatives.

50. Alliance said that most of the present session had been devoted to scoring points. Labour said that all should remember the purpose of Strand Two which was to achieve new relationships to seek a new beginning. It was difficult to understand the UUP's present

emphasis on the British connection: was the UUP's feeling of Britishness different from that of the British Government's.

51. The Chairman said that when the Strand Two process had begun the parties had opted to proceed through the agenda one item at a time. On the present schedule this process ought to be completed within a fortnight. He invited the parties to give some thought to the further course of the proceedings. After some discussion it was agreed that the session would adjourn until next Tuesday, 4 November 1997, at 1000 subject to consideration in the meantime by the Business Committee of the starting time. Items 3 and 4 on the agenda would be discussed. Papers on Item 4 of the agenda, submitted on a voluntary basis, were to be lodged with the Chairmen no later than 1000 on Monday, 3 November 1997.

**Independent Chairmen Notetakers
31 October 1997**