

## *NIWC Points to consider for Review of GFA*

### **Review Remit:**

*The review will take, as its starting point, the three principles agreed by all pro-Agreement parties on 25<sup>th</sup> June:*

- (a) an inclusive executive exercising devolved powers*
- (b) decommissioning of all paramilitary arms by May 2000*
- (c) decommissioning to be carried out in a manner determined by the IICD*

*and will determine how to overcome the difficulties which exist in the practical implementation of those principles. This will be its only focus.*

### **Introduction**

The Women's Coalition believes that those who take part in the review also, de facto, accept these parameters. This problem will only be resolved by adhering to the provisions of the Good Friday Agreement. There will be no executive by moving outside its provisions, nor will there be any practical decommissioning outside its provisions. It is thus the key to resolving the issue.

### **Comment on previous attempts to resolve this issue**

In our view the process of implementation has not been as well organised as the process of negotiation. The involvement of the Prime Minister and Taoiseach, has resulted in a number of management issues:

- (a) Driving formal intensive initiatives when the groundwork has not been prepared, and hosting exclusive meetings of only three parties in Downing St. 'in between' formal initiatives
- (b) As premiers, they have been caught in the time sensitivity of their participation, due to the very seniority of their positions. This heightens press coverage, and sets artificial deadlines that requires them to summarise where they are in ways that are not as nuanced than if there were greater time for other participants to respond - particularly in writing. To have greater authorship is to have greater ownership.
- (c) While we have not supported the introduction of deadlines when no sustained, implementation process has been undertaken, we do recognise the responsibility of all participants to work in good faith if they are set. This is not just a premiership problem.

### **Process: Content**

Need to set realistic expectations for what the Mitchell Review can actually achieve. Agree goals and set out how to achieve them. Don't worry so much about doing it within a certain timeframe – only time frame set down in GFA is May 2000.

There is a need to reframe the problem. What is it we are trying to achieve? What is the *purpose* of decommissioning?

- The government still sees problem as difference in sequence and timing, and has thusfar aimed for a 'spectacular' outcome. But the issue is also about trust, namely lack of it. Should there be a change in tack, with a lower aim: go for incremental trust building at personal and personnel level, as well as institutionally. Thus the question may be how to institutionalise relationship building (/communication)

between UUP and SF<sup>1</sup>. Can this be done by establishing a separate Implementation Committee comprising the governments and pro-Agreement parties (including the UDP), as well as establishing a low level operation of the Assembly, perhaps at committee level? Or could establishing a low level operation of the new institutions, at committee level, be enough to do this? An Implementation Committee could be chaired independently – inaugural meeting by G Mitchell, and continued by another US appointee or international person.

- It may be useful to ask a series of questions of all participants equally, and to establish clarity on what is actually agreed between participants (e.g. that they are committed to the GFA, and an inclusive and collective process) with the possibility of an agreed statement]
- Without rehashing the arguments over past attempts, it may be useful to have parties clarify what they could have subscribed to in previous efforts – most parties could have signed up to some part of them.
- There may also be merit in clarifying the legal position of executive establishment, as laid out in the Notes on Clauses accompanying the Northern Ireland Bill (Legislative History). [i.e. that the only condition of appointment for Ministers is their affirmation of the Pledge of Office.]
- Civic society representatives are prepared to contribute positively to the public discourse on implementation. It would thus be useful to provide an additional platform for them. In this regard, parties could agree to establish the Civic Forum, and have it up and running in the very near future (October, November). Members will be interested in sustaining the GFA, and its political supporters. Some thought should be given to the legalities of doing this, in particular the legal relationship of the Civic Forum vis-à-vis the Assembly.
- As it is incumbent on **all** parties, under the terms of the GFA, to make a contribution to decommissioning, not just those with an affiliation to paramilitary organisations, there may be merit in discussing practical measures to satisfy this requirement. For example, establishing a working group to examine international practice, or asking an experienced institute to convene a seminar on the subject.
- It may be useful to have all parties who will be in government acknowledge that, in a divided society the agenda cannot be set by a single party. No one party's manifesto pledges will be able to dominate. The future way of politics in Northern Ireland is collaboration, co-operation and compromise.

---

<sup>1</sup> There have been a number of ideas put forward, including those by the NIWC (See attached papers) In the absence of any of these being accepted, the NIWC is prepared to propose other ideas, like the ones outlined above.

### **Process: Structural**

We suggest the following issues are important to ensure better practical running of this process:

- (a) Communication – between parties, and between parties and the media. Ground rules, particularly in respect of confidentiality need to be established at the outset
- (b) An agenda for meetings should be drawn up
- (c) Insofar as possible, all parties contributing constructive should be kept up to date, on at least a daily basis of progress, without prejudice to the content of private meetings. Allow for questions at these times.
- (d) Government information briefings should not talk up the process. Not only has this been inaccurate during past initiatives, but has had the effect of increasing public expectations of initiatives, which have in turn been dashed, lending to a greater air of despondency and despair.
- (e) It will be important to commit as much to paper, to produce synthesis papers as possible. Participants need to be clear about what others are offering, and they need to see it in black and white, not to hear what other's interpretation of what is on offer. It may be useful to encourage parties, therefore, to prepare and exchange memoranda of understanding after they have meetings, so that there is a shared understanding of what has been discussed and agreed between them.

*Ends.*

*NIWC 6<sup>th</sup> September 99*