

Implementation Committee 28/03/02

In attendance: John Reid (SoS), Brian Cowan (Irish Foreign Minister), David Trimble and Reg Empey, Brid Rogers and Mark Durkan, Gerry Adams and other, David Ervine and Billy Hutchinson, Monica McWilliams and Jane Morrice, David Ford and Eileen Bell. Civil servants

SoS - Welcome; appropriateness of date (day before GF); discussed the format - round table, few words from all the parties.

There should be no minimisation of how far we have come.

Sees 4 main issues: decommissioning, policing, normalisation of security, stabilising the institutions of government. PSNI - pressing ahead with recruits, but the Board has a long way to go. Issue of Castlereagh.

Decommissioning - historic move by IRA in October 2001, leading to a process, loyalists must play their part.

Normalisation - HMG have removed a tower from S Armagh, Derry barracks are gone - the challenge is to sustain reduction in the face of a genuine threat.

Stabilisation - degree of normality creeping in since Nov 2001 election of OFMDFM. Socio-political>sectarian issues.

HMG's responsibility to create conditions for stability: SoS doing what he can for NI with the Chancellor re: the Budget.

Issue to be dealt with: reform of criminal justice - going through HC/HL, huge challenge. Dealing with our past - investigations etc. On The Runs. Exiles.

Assistance for victims. Policing review. Border Poll. Voting system. Agreement review. Elections of May 2003 will be extremely challenging.

How often should we meet? Suggested quarterly, as every 6 months is too long.

BC - These meetings need a substantive agenda: it is in the interests of everyone here to show that politics works. These issues will be hard to resolve, but we'll get there if we work at it.

We need to get credit in the run-up to the elections, and have to make the public aware of our achievements. We have to show them the Pro-A politicians finding common ground, and that there is no credible alternative. Individually and collectively, the people round this table have to make this work.

DE - well, the little parties know very little...

DT - In terms of stability, hope that the SoS has draft legislation in place to reverse the Robinson case. It will invalidate all that we have done if the HL ratifies it.

SoS - I don't want to think about that.

DT - Well, you should, because Carswell's argument is very persuasive. Is there a date/target for the full implementation of the GFA, or has that been abandoned?

Decommissioning is important, only a small part has been implemented and it remains a major outstanding issue. 2 other issues: the British-Irish Council is not as effective as it could be, and we need a collective effort for this - the DUPs not getting involved doesn't help, and the Review of the GFA is also an issue. As On the Runs are not mentioned in the GFA, they should not have been brought up earlier.

GA - There has been huge progress, look at us sitting round having coffee and being civil. Look at the Middle East. There have been some issues left out, however.

The review into criminal justice - anaemic, in-house review so far: the court symbols (and the reversed decision) is a big issue for us. Disputed killings - HMG made a big mistake with Finucane, by putting it on the long finger. We are used to having MMcG and BdB attacked, but it shouldn't be by the FM. We need collectivity on these matters.

The economic dividends of the peace process - Reg has done very well, but there is still a lot to be done: look at the unionist working class in N Belfast. "Cold House" speeches do nothing for anyone: they increase rejectionism in unionists, and annoy republicans.

Policing is a big issue. The appointment of John Chilcott shows were the power lies - HMG is hardly neutral.

In terms of the review, we need political will. The Single Equality Bill has been delayed, there is foot-dragging over the promotion of the Irish language, the NIHRC isn't getting enough support - when are we going to have a Bill of rights for the North? But in the round, a lot of progress has been made in the last while, and these meetings will be useful if we come back in three months, and feel that we have made progress.

All parties, not just the small ones, feel left out of the loop. Are the Irish government the junior partners when it comes to the courts and Castlereagh?

SoS - I'll come back to that

BC - We'll hear everyone, and then come back to it.

BR - Welcome; we strongly argued for this at Weston Park. The crisis management and brinkmanship has led to a loss of confidence within the pro-GFA parties. The smaller parties played a significant role in getting the GFA. We need this committee, for it will avoid crisis management. We all want the GFA to work, and this will improve things.

There is a need for regular meetings - every 6 weeks, and we could have sub-committees, rather than having a plenary..

The SDLP are concerned about the lack of progress for the criminal justice review, the lack of progress on demilitarisation; the N-S agenda: a parliamentary and consultative forum should be established asap; this would improve recognition and understanding, and create dialogue between the TDs and MLAs. We also want a report from HMG and the IG on the apparent lack of progress of the Nelson/Hamill/Finucane inquiries. OTRs, decommissioning and victims. What structure would a review of the GFA take? This is for the collective responsibility of all of this group.

DE - I've struggled with thoughts about not being here. We are advocates of collectivism, rather than what went on at Weston Park. OTRs - loyalists should follow due process of law. We all deserve due process, and will accept nothing else. We need a set of parameters - the GFA - and it is alien to what is a good agreement to function outside these parameters.

Collectivism is the key - the review of the voting system was a joke, and this could go the same way. First of all, we copper-fasten a new deal, then SF go out to the media, then the SDLP and so on, and fight it out there. The 1st thing on the agenda is what we want, and then that will become what we all need. There is no ownership over some of the decisions that have been taken - Weston Park was an illusion. The wee parties play significant roles: talk it up. We are happy to do this if we have some knowledge of what is going on. But unless people are serious, we won't be here. We won't be used, and we won't take ownership of it. How do you get things on the agenda? DT mentioned a border poll in the media, and suddenly it's on the agenda. Who determines this agenda, and it done on the basis of a crisis? What is positive is the fact that we are here.

MMcW - here we are on the 4th anniversary of the GFA - look at the incredible difference: we have come a long way in a short period of time. I'm sure you've heard about one of the most common wrong answers in the 11+ - the prefix of agreement to change its meaning: children were putting anti rather than dis. It has become internalised what you are against: here is our opportunity to say what we are for. The NIWC has burned the SoS's and BC's ears for this committee, so we are glad that it has finally happened. The UDP were part of the GFA, and they didn't get invited

BH - they don't exist anymore.

MMcW - the stability of the institutions are very important. People deserve it. You all know that we re-designated, something that we said from the very beginning that we were prepared to do. Our party's suggestion to the voting review was the only one to come out with backing, and it has been deemed legally competent by the NIA's lawyers: we will be looking for your support to a change in standing orders to let our vote be re-designated in times of need. PSNI - we are not on the policing board. But it is moving forward - however, we know this because of the mediation network, rather than the pro-GFA parties.

The issue of Special Branch causes serious problems, and we need to address it.

Disappointed at the Assembly committees. Strongly looking forward to getting the justice issues dealt with. It is rare to get all-party consensus on victims. There is also the bid for a Children's Commissioner, and we learned this morning that out of the 112 QCs appointed, only 13 are women. Regarding decommissioning, the October move was huge in terms of a confidence building measure, and in the context of conflict resolution issues. Very concerned about the OTRs, the review of the parades commission, the families of the Disappeared, which the IG is now pursuing. Issues of truth and justice. Justice seems to be more important than truth. What is the hold up with the Single Equality Bill? The funding of women's centres, the lack of money from Peace 2 for these matters - we should be looking at the international scene. Look at the women who have contributed so much on all the levels, and they are being refused funding.

Civic forum - suffering teething problems. This is an institution of the GFA, just like the N-S consultative forum. It was validated 4 years ago, and we need to keep a vision - believe in ourselves and each-other.

DF - I'm not going to repeat the same points again. Issues, wishlist, rather than scope for discussion. N-S parliamentary aspect. Issues of failure of the GFA - the voting system, we are not going to prop up the system anymore. There is a mechanism for review within the GFA - paragraph 8 - and I am asking the 2 governments today how the review will proceed. Sectarian divisions persist at many levels of society, at the top and at the grassroots level. Regarding amnesty and OTRs, our view is that this can be dealt with in the spirit of the GFA - the suggestions of a general amnesty is out of the spirit of the GFA, and anyway, there hasn't been any consultation. Brid highlighted the issue of regular meetings: there is the issue of optics - we need to meet frequently and show that we are serious.

BC - The public will see pro-GFA parties are making this thing work. If what emerges is a pro-GFA parties committed to regular meetings, on issues which have to be dealt with - good - improves the public perception, and our differences are not highlighted. No one seems opposed in principle. We need a structure which gives an agenda - the issues you want and need to talk about. Regarding the review, the public want to see things working. The technicalities become OUR focus. It was an effort for Alliance to re-designate. The dominating part of the agenda should be to show us working to a common agenda. Re the economic arguments of GA - what political support can be generated? We need a positive resonance.

The pro-GFA parties are the ones who will get the most support overall in May 2003. In the view of the Irish Govt, the GFA was not implemented until November 99, so no review until Nov 2003...

It is not a question of reviewing basic principles, but improving, re-inventing the wheel, building to get things done quickly. Re: the "junior partner" in GFA, we will need, after the Irish election, to work together on a structured, regular way, like the parties here. We need to maintain momentum and drive this thing along. The quarterly idea is a fair compromise, with sub-groups on a more regular basis.

RE – Agrees with BC. The biggest problem is that many are opposed to the GFA in principle, but now there is a growing number who are opposed to it in practise. Gerry put in the socio-economic position – what are we doing to help those most alienated from the GFA in from the cold? We are driving them further away. Brid said about the N-S bodies. This is important to the GFA, and has been approached in a positive and enthusiastic manner: a new parallel process has now developed, connecting the Dail to up here. But this undermines the GFA, and makes it seem less like a settlement. It also undermines the principle of consent, and people are mistaken if they think the UUP will take this. We need to get more support for the GFA – progress is being jeopardised by extra-curricular activities. The BIC is defunct as an organisation, although there have been more things happening in the last few months than previously: HMG is the worst offender, doesn't turn up etc. This needs addressed. In contrast, the IG has shown a lot of enthusiasm. The East-West arrangements are intolerable – little or nothing to show for their activities. At least the N-S bodies are delivering. However, the imbalance between the 2 strands encourages scepticism. But we'll not revisit the issues. SF sticking up anti-PSNI posters, intimidating nationalists and catholics is outside the spirit and letter of the GFA.

GA – useful to have other views. Here is the difficulty – unless HMG and the IG are focussed, we will need to determine the agenda. If we hadn't had the GFA, these issues would still need to be dealt with. We need equality, socio-economic improvement, demilitarisation, and this impacts all aspects of life in Ireland. This needs corrected. I put it to HMG that they have a particular responsibility: this is a process, a war by another means. We can argue our own case.

DE – (intervenes) we are in an embryonic stage: don't need people playing footsie outside the GFA

GA – I'll take that intervention. Reg said people are against this. We can't wait on rejectionist unionists for equality: we'd be waiting forever. We all have difficulties with our electorate, and we could all be whingeing here – that's ok – but these things need to be corrected. It would be a loss if the PUP didn't come to the meetings, and I take David's point very seriously. Reg's threats: can't expect the Uup to be around if the N-S bodies continue as they are going ..

DT - (intervenes) Stick to the GFA

GA – let's stick to the GFA. Negotiations have continued with HMG, a unionist government. SF have no problem with the GFA. We campaigned in NI to have a say in the South – parity, can't expect people to always want to go to Westminster.

The predominance of remarks about the Assembly elections are worrying. We need a process to bring about the full implementation of the GFA. I raised a number of points that have not been responded to - what about symbols? Let's knuckle down to it, and get the full implementation of the GFA, talk about where we are at, and how much better it is than 4 years ago.

MD – While there are some frustrations, we are all being very positive: We can identify the shortcomings, but let's not lose sight of the successes. There has been so much progress that we have concerns about the shortfalls, and the potential undermining of the GFA. We need to address the valid issues that have been raised.

Brian's point on public confidence was important. There is a need for regular meetings. The lack of progress has been due to unhelpful diversions. Brid was not talking about outside the GFA, but about the N-S parliamentary forum. Let's not play procedural games, but instead deal with things up front. HMG, IG are responsible for E-W. This is helpful for the N-S parl forum, and increases democracy. Anti-GFA's do enjoy being involved in democracy, and this isn't seen as contrived.

RE – (intervenes) this added a new dimension to the GFA

MD – the Dail committees were given pre-eminence to GFA provisions, and if you look at the transcripts they show a sensitive regard to the GFA. This should be recognised. BIC has been disposable. Serious business could be done, but it's not being done – there could have been bilaterals, multilaterals etc. We all recognise that the victims process since the GFA has been inadequate. "truth" is likely from victims, but less likely from victimisers. These are sensitive issues, like with the OTRs, and we are dealing with them. We need regular meetings. Next year, we'll want to demonstrate to as many people as possible that these institutions are working. All these issues between now and the election must be met. Criminal Justice, OTRs and symbols – benefits vs compensating benefits.

DF – The Review must be from the Referendum date, not the point of operation as BC suggested. We need to talk about this, otherwise we will be caricatured. We cannot afford to be in disarray. If we wrong-foot each other, it will undermine the collective enterprise. Let's be sensible, improve public and political party confidence. We have the bones of an agenda: all the parties, the two governments in a working group, and the mentioned issues.

BH – I'd like to challenge GA on some things, that ARE a big deal, like the OTRs issue. There will be repercussions if these are not dealt with. There is no UDP here, because the UDP turned into an anti-GFA party. They couldn't live with the republicans. The PUP IS a pro-GFA party: this is the only way forward. We support the principles of the GFA, not whatever emerged from Weston Park. We don't know what's going on: IRA decommissioning has been talked about, but the PUP haven't been told - we're not included in these discussions. I was the interlocuter for the UVF and RHC when the IRA weren't talking to anyone. Republicans are given everything, and Loyalists nothing. All this could have been worked out, but it wasn't. Reg was right – people are being left behind. Loyalists have been marginalised for 30 years, and have lived in poverty for 30 years. The problems in North Belfast are down to sectarianism on all sides, and some of it is pretty well hidden, like the anti-GFA republican strand. We have to take the GFA to the people, and deal with this sectarianism, because it's still alive and well. We need to get to the bottom of this. The GFA is about shared identities. This is a different type of war, and let's not make it a dirty war – get a collective, or the anti-GFA's will run away with it. Nationalists need cross-community support, or else it won't happen at all. The point about ex-prisoners not getting compensation, and Loyalists getting less than Republicans.

DE (intervenes) -We have to get this into the dock, and identify the hypocrisy. Look at the issue of decommissioning. Unionists see it as selling guns for goods, not what the process was to be about. If the IRA are going to do it more than once, you cannot expect the unionists to get more delighted, as the IRA will just be getting more goods.

GA – we need to implement the GFA in full. People are saying that republicans are given everything: what have we been given? SF made a submission to the Dail commission, and it concluded that northern representation would be permissible, there was nothing to do with side-deals and it was the courts vs the OTRs. There is the notion that the UUP and SF are given stuff: that's not true. As for OTRs, it was recognised at Weston Park that this was an anomaly. While this is seen as a concession train for republicans, only 2 issues have been identified.

Everyone has difficulties with their constituencies. I agree totally with BH: working class loyalists were not served by the Union/HMG. There is dire poverty and deprivation – there is not doubt about that. Sectarianism is the scourge. We can vent, or we can look at this in a measured way. Progress has been made, SF is now involved in a partitionist government. Damned as IRA has put some weapons beyond use. I've spoken to Billy about this myself. We pushed the IRA in that direction because we thought we were going back to conflict. This shouldn't be done in some quid pro quo fashion: give the issue to the securocrats. MI5 doesn't like the way things are going, and hand it over to people who go slow because of denial. It isn't guns for army bases.

UUP could have just claimed this. Ronnie Flanagan talking about imminent decommissioning is being completely unhelpful to our constituents who don't want a handover. Let's remind ourselves of the progress, and get away from the myth of me and others playing "footsie". I think we can do a better job.

BH (intervenes) – all we hear is "Brits out": we ARE the Brits. Republicans have refused to accept loyalists as people.

GA – the main issues are within the remit of the 2 governments, and the collectivity must come from the centre. OFMDFM should hold these meetings; there should be no pressure. We have a different vision, but we all want this to work. The DUP won't be making this work: what have republicans been given?

DE – what is happening is natural. Implementation is difficult, but we have to cure the things that will otherwise break our backs. If the IRA decommission again it would save DT,

BH (intervenes) it's being sold the wrong way

GA – you have to understand what a sacrifice that was. People were in tears, they were up in arms when the IRA decommissioned. We need a hands-on approach here.

DE – the issue is, I think the IRA made a mistake. We should have had this debate ages ago, when the process began. This process has been flawed from the beginning. These problems have to be dealt with by us. OTRs are an anomaly, and its an issue that won't go away. We are setting ourselves up for serious problems. Unionists won't be able to deal with it. Where is the collective ownership?

SoS – we have overrun: this was needed to get some clarity about the issues.

DF – this exchange shows the dangers of having only quarterly meetings. It's 'whataboutery' – what are the PUP going to do about loyalist decommissioning?

DE – there will be no loyalist decommissioning – nada.

DF – keen to hear about measures on a range from this, especially OTRs.

BC – this was a good discussion. Weston Park was not a parallel process. It happened as the 2 governments were trying to resolve problems. Without Weston Park, we wouldn't be here. Couldn't resolve inter-party talks to re-establish the institutions.

The issue of Weston Park: it set out the GFA achievements, but it got no coverage. Reg is right, we need to sell this better. We have to do this: that is the purpose of you all being here today – to acknowledge your substantial and valid differences, but to say, in good faith, that you will try to make this work. We have made a lot of progress, and can continue to make more. We can show the public the good bits. Anti-GFAs are taking plaudits for nothing. In the election, it must be demonstrated to the public that it is more in their interests to vote for pro rather than anti parties. But the change will be incremental, and we have to help each other to move on all the issues. Thanks for the frank exchanges.

SoS – thank you all again, and for being so frank. We are going to have to go back to basics, as we are all struggling. The substance is the amount of work done by all the parties, and by the 2 governments. We have to handle national interests in a parliamentary system.

DE (intervenes) – don't ask for the impossible.

SoS – there is a lack of focus in the discussion: there is conspiracy and omissions. As for OTRs, if we were conspiratorial, we would have announced a way to deal with this last week. But we recognise the complexity of the issue, and it is being held in the public arena.

Meetings: as for the 2 governments having the power to choose the substance, that is not the case. Having the power does not translate to being able to carry it out irrespective of circumstances. There are secondary effects to consider. We have done things together that have never been done before – recognise that there is a long way to go, but be positive: we have come a long way. The frequency of meetings comes down to realpolitik. The problems are better dealt with by NI politicians, by the people around this table, and the IG and HMG will not refuse the collective will (although Gordon Brown must be considered). We have lost the popular support, and we need to get it back. As for the BIC, HMG will look into the lack of HMG representation. The Review of the GFA will take place after 4 years – which translates to the end of next year. As for the international judge for the major cases (Finucane, Wright etc), we want to have this person appointed by the deadline. There will continue to be the normal curtailments on civil liberties in courts, because we still have terrorism. Any government would act the same way. It is a difficult balance to achieve, but the key is in the context. The IRA vs HMG...

GA (intervenes) – why can't we have an inquest?

SoS – I'm coming to that point. I see people in tears too. People who have family members killed by the IRA, by the security forces and by loyalists. The pain is indivisible. Truth is also indivisible. You can't demand an inquest for half the people.

GA (intervenes) – there is no reason for yahoos in the republican/loyalist movements, or the security forces to stop this. Inquests are stopped by people.

SoS – I don't have an instant answer for this because it wasn't raised. The economic progress supplements what we are trying to do. This is about bread and butter issues. Decentralisation is something to be proud of, something that was hard fought for. DE asked what was the agenda. It's whatever you want it to be. (Reads out list) I agree that meetings should be held more regularly – how often? The balance between a plenary session like this, or sub-committees is something that you can work out yourselves, every couple of months. Look at all the issues raised here today, and get a paper together about what has been raised.

Go for this wholeheartedly, and pursue peace wholeheartedly round the table.

GA – I know everyone's busy, but informal meetings in the Assembly would be supported by SF.

BC – bi-annual meetings won't work. Every 2 or 3 months is ok with us. You can meet in sub-groups.

SoS – whatever our differences, we need each other.

(meeting ends)