

FORUM FOR PEACE AND RECONCILIATION

Representation in Forum - Paper from Chairperson

Origin of Paper

1. At the meeting of the Co-ordination Committee on 2 December 1994, it was suggested that consideration might be given to allowing the Group of Independent Senators to have their own, single but additional full member in the Forum. It was indicated by other smaller groups that current arrangements in regard to substitute members were unsatisfactory for them. A query was raised as to whether delegations could make changes among their full and alternate members in the light of changed circumstances. It was agreed that the Secretariat might bring appropriate proposals on these representation issues to the next meeting of the Co-ordination Committee, with due regard to the desirability of reasonable stability in participation in the Forum and continuity in its deliberations.

Issues

2. Thus, there are three issues:
 - (1) whether and how to accommodate delegations who wish to take account of changes in circumstances affecting their participation in the Forum, e.g. other new commitments or changes in responsibilities;
 - (2) whether and how to meet the potential difficulties of some smaller delegations arising either from the non-availability of the substitute facility or the rule that substitutes may not speak; and
 - (3) how to overcome the problems arising from the lack of agreement among Independent Deputies and Senators as to how to manage the representation accorded to Independents. These issues are dealt with, in turn, below.

Changes in Circumstances

3. It is possible to foresee possible changes in circumstances that could have implications for the composition of delegations' participation in the Forum, including involvement of some participants in discussions proceeding in other areas, and possible changes in Government leading to changes in the positions and responsibilities held by participants.

4. Two possible ways of accommodating such changes in circumstances suggest themselves
 - (1) allow speaking rights to substitutes who are taking the place of alternate members subject to the number of a delegation's speakers at any session not exceeding their number of front-row places (i.e. their number of full members) or
 - (2) accepting that delegations could notify changes in their nominations as full and alternate members but with due regard to reasonable stability in participation: it might be provided that once a nomination is changed, the new nominee would not again be replaced within, say, 2 months, except in cases of serious illness; alternatively, if any such requirement is felt to be unduly prescriptive, observance of the desideratum of continuity could be left to the discretion of delegations.
5. These options need not be mutually exclusive, and could indeed both be accepted. The first has the advantage of enabling those who have participated to date but who may now have new commitments to continue their involvement in the Forum while ensuring that a delegation's full allocation of front-row places is taken up at all times and with persons who can speak on the delegation's behalf. It also has the incidental advantage of helping to revolve the difficulties of smaller delegations. This first option might not, however, give sufficient scope for any substantial change in the composition of larger delegations that might be called for by changing circumstances.

Potential Difficulties of Smaller Delegations

6. Before the first meeting of the Forum, there was agreement that delegations could draw from a panel of up to three named substitutes who can fill seats vacated by Alternate Members, subject to the understanding that at no point would the total delegation size at a particular meeting exceed the designated number of full/alternate seats. Substitutes can replace alternate members only, and only alternates can substitute for full members. These arrangements were confirmed in the Chairperson's Note on Procedures of the Forum (F001/Rev3) approved at the Co-ordination Committee on 11 November and again at the Committee's Meeting on 25 November.
7. The Workers Party have no alternate member and therefore no substitute. They have represented that this has the potential to create grave difficulties for their continuous participation and have asked that special consideration be given to their position. The Green Party/Comhaontas Glas have one full member and one alternate. While they have the facility to nominate substitutes, these could not speak under current arrangements. They foresee occasions when it will not be possible for either the full or alternate member to be present. They have sought the facility whereby one or more of their substitutes could speak, in those limited circumstances.

8. The points raised by both parties could be met if substitutes were given speaking rights when they are deputising for absent alternate members and if, in addition, the substitutes facility was extended to The Workers Party and Senator Gordon Wilson.

Management of Independents' Representation

9. In the arrangements settled prior to the first meeting of the Forum, it was agreed that
 - (1) Senator Gordon Wilson would be a full member of the Forum, on a personal basis; and
 - (2) other Independents would have one full member and, on a rotating basis, three alternates.

It was left to the Independents themselves to agree on the management of their representation. In the event, it was not possible to reach agreement between the Independent Deputies and the Independent Group of Senators, except in regard to seating arrangements for the inaugural meeting of the Forum. In practice, Deputy Blaney has occupied the seat for the Independents' full member but the Independent Group of Senators has continued to express its disagreement and unhappiness that this situation should continue indefinitely.

10. The Chairperson considers it desirable and understands, from soundings made, that there is wide agreement among delegations, that the Independent Senators be given the opportunity to contribute to the Forum by speaking at its meetings. Two possible options for an equitable solution suggest themselves:
 - (1) instead of giving the Independents 1 full member and 3 alternates, give them 2 full members and 2 alternates: on this basis, there would be a full member each representing Dail and Seanad Independents, and one alternate each; if necessary, the two full members could share formal allocations of speaking time; or
 - (2) retain representation as at present and provide for an equitable rotation arrangement; this could be on the basis of occupancy of the full member's seat alternating each month between Dail and Senate, with two alternates also drawn, alternately from the two Houses, the third being from the other House; it could, however, be provided that the Special Adviser and Delegation Secretary would always come from the Dail side.

The choice among the two options will depend on delegations' assessment of what is the fair allocation of full members for the Independents, by reference to the numbers of full members that the various party delegations have.

11. All of the above proposals relate to participation in the plenary sessions of the Forum. The Workers' Party have raised their potential difficulty of participating in sub-committees, especially if there is more than one operating simultaneously. This begs the question as to whether, for the smaller delegations, substitutes should be permitted to participate in sub-committees.
12. The proposals in regard to the Independents do not cover representation in the Co-ordination Committee. In the spirit of the proposals above, this might, if the second of the two options were chosen, alternate on a monthly basis between Dail and Seanad but, in the interests of the desirable stability in membership, between a single designated Deputy and a single designated Senator.

Judge Catherine McGuinness
Chairperson of the Forum

7 December, 1994