Office of the Independent Chairmen

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SUMMARY RECORD OF STRAND TWO MEETING - TUESDAY 24 MARCH 1998 AT 10.40

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 convened the meeting at 10.40. He stated that the session was scheduled to be in Strand Two format in accordance with the most recently concluded meeting. On 5 March, however, both Governments had sent a letter to Sinn Fein inviting it to rejoin the negotiations on 9 March. In their letter both had stated it would be necessary to reaffirm, at a Plenary meeting, its total and absolute commitment to the principles of democracy and non violence listed in paragraph 20 of the Report of the International Body.

2. The Chairman said unless there were any objections to holding a Plenary, he proposed to convene one now for the sole purpose of Sinn Fein's reaffirmation of the Mitchell Principles. After this the session would revert to Strand Two mode for the remainder of the meeting. Following the conclusion of the Strand Two meeting, the Chairman said he proposed to convene a review Plenary which had been requested by the UUP. Recapping, the Chairman suggested a short Plenary meeting immediately, then move back into Strand Two mode for the purpose of finishing the 10 March "further

synthesis" paper of which only the final two pages remained, followed then by a decision on how to proceed in Strand Two for which he had some recommendations. At the conclusion of this, a 30 minute break or longer, depending on lunch, would be taken, before returning for the review Plenary which he intended to complete today. The Chairman asked whether there were any objections to this program. Hearing none he declared the session to be in Plenary mode and turned to Sinn Féin. He asked it whether it was familiar with the principles listed in paragraph 20 of the Report of the International Body and whether it was prepared to restate its commitment to those.

3. Sinn Féin said yes was the short answer to the first part and, in its view, it had continuously and pro-actively upheld the Mitchell Principles and therefore had no problem in reaffirming its commitment to them. The Chairman declared the Plenary adjourned, subject to the call of the chair. He reminded participants that he planned to convene in review Plenary format later.

4. The Chairman said he now wished to move on to Strand Two business and had four sets of minutes to approve - two sets each from 24 February and 3 March. Hearing no objections he declared these approved as circulated. Moving on to the further synthesis paper, the Chairman said he wished to finish this and discuss where the participants went from here in the last few weeks of the process. A lot of what happened in those weeks would turn on the north/south dimension. The participants had had two good weeks of discussions on the document and to bring this to a conclusion he asked for comments under the heading "accountability". The Chairman also reminded participants that the door remained open for any further written comments on implementation bodies which had been sought at the last session.

5. The SDLP said it was the mechanics of the issue which needed elaboration since the principles were broadly acceptable as the paper had portrayed. The party wanted to see the operation of accountability not imposing unnecessary constraints on the members of a North/South Ministerial Council - be they from the Assembly or the Oireachtas. Flexibility was required in the exercising of accountability but the principle gave the party no particular problems. The Chairman asked participants to move on to the next heading "further development". Hearing no comments, the Chairman proposed moving on to the next heading "funding".

6. The SDLP suggested that in "areas of agreement" the wording in parenthesis needed further investigation. Its main point was that direct funding shouldn't preclude other sources being examined. In particular, aspects of European funding were an important dimension for the responsibilities of the North/South Ministerial Council.

7. Alliance said there were issues here in terms of decisions on funding which were not easily resolved. The party suggested that on each issue decisions on funding arrangements would have to be worked out but one couldn't assume that in every case this could be resolved on either a 50/50 or per capita basis. For example an issue in the border region might require each side to fund on a 50/50 basis. Conversely, issues on an all island basis might have to funded by a per capita approach. Then there might be other issues which could fall more heavily on one side or the other so it was impossible to make a ruling at this stage. Alliance recalled the recent agreement on tourist marketing on the island had, with small amounts of funding from NI, leveraged major funding from the private sector in the Republic. Alliance said it believed this issue needed to be negotiated at the time and was dependant on the issues in question.

8. The PUP took the view that complicated circumstances were not required to resolve this issue. Both jurisdictions would be responsible for funding with the body itself getting to grips with the actual circumstances at any one time. There was no need for convoluted formulae. The Chairman said he believed the EU and others would be pleased if the process could reach agreement with the possibility that outside funding could be sought from them while both jurisdictions supported the body in year one. Alliance raised the issue of the Republic being in the European monetary system while the UK was not. In this scenario the party said one of the things which needed to be addressed, perhaps at Heads of Government level, was to agree on a year on year basis some sort of exchange rate for the discussions of the North/South body. The party said adopting any alternative form of floating arrangement was no good. It was important to agree an exchange rate whenever issues would be taken forward together over a full year. These were real issues which needed to be thought through, particularly in the first few years for the North/South body, and resolving them in this manner would remove the potential for pointless wrangling.

9. Sinn Féin said it agreed with the PUP. Funding should come from both jurisdictions with additional funding perhaps coming from the EU. On "accountability" the party said a North/South Council should be independent with no veto being exercised by the Assembly over its activities. Neither could decisions taken in the Council be ratified by the Assembly. Sinn Féin said its main concern, as it was suggesting, was the ability of the unionists in an Assembly to exercise a veto over the working of the Council. In terms of "further development", the party said the Council had to be free to develop and evolve with its scope being determined within set periods. Also required were effective measures to ensure the Assembly couldn't restrict the scope of the Council so that the latter could evolve its functions in a dynamic manner. The party wanted to see all Ireland bodies which were strong and powerful.

10. The UDP said it disagreed with Sinn Féin's stance. Neither was it a realistic contribution to the debate. The PUP said, in terms of outcome, the process was effectively looking at the Governments if it was serious at all about the three stranded approach. If this was the case then it was a bit mischievous for Sinn Féin to say that the Northern Ireland Assembly was only the rubber stamp mechanism prior to issues being dealt with at the North/South Council. The party said Sinn Féin would have to come to terms with the fact that the North/South Council could only take forward decisions ratified by the Assembly and the Oireachtas. The PUP asked did Sinn Féin's comments suggest a split in nationalism?

11. Sinn Féin said there was no disagreement here. All nationalists knew that the Assembly could scuttle any North/South body simply because of the unionist majority in the north. If the unionists were now saying the North/South body had to be subjected to the an Assembly veto, did this not insult the intelligence of nationalist voters who wished to be treated in a proper and fair manner. The party said this was a big problem and it needed to be sorted out in the next few weeks with the representatives of unionism and nationalism getting together to work out a methodology. The PUP said Sinn Féin should consider that unionists might have to exercise their veto by a weighted majority. Sinn Féin said even if this was the case, unionists always had the power to render a North/South body pointless. The issues needed to be resolved either in bilaterals or trilaterals.

12. Alliance said it understood one concern of true republicans was that people had the right to make decisions on taxation powers and how this money was used. So if proposals were put forward to use this money then people, through their elected representatives, had to have their say on this. Was there a view now being expressed that the Republic couldn't say no to something but the Assembly could? Surely Sinn Féin wasn't advocating this when one only had to look at its own internal experiences. Was Sinn Féin

saying that northern nationalists had a veto over southern nationalists? Was it also saying that the only group of people who couldn't say no to issues and arrangements were the non nationalists in the north? Alliance said perhaps the party was suggesting that it was London and Dublin who said no in this context but this could mean those in London, who were neither elected by the Irish people or were themselves Irish, being able to veto arrangements flowing from an agreement? The party said the process had already accepted that important decisions would be exercised by weighted majority so that unionists couldn't pull down anything themselves. Alliance said it hoped Sinn Féin was not playing a game with this issue just to get into discussions with the UUP.

13. The SDLP said that over the last 70 years the fears and apprehensions of people in Ireland had become reinforced but the key lesson for this happening was the absence of agreement. In any new institutions the party said people could either continue to express those fears and apprehensions or start to make them work by developing trust and working together in them. The party said it was vital that agreement was sought. No decisions could be taken without agreement and until then people would continue to deny responsibilities to others because of those fears and apprehensions. The SDLP said it had tried to address these with safeguards but over and above those safeguards was the requirement for agreement and trust. This was also where accountability was developed.

14. The SDLP said Sinn Féin was only laying the basis for continuous disagreement with its earlier comments which were a complete distortion and a deliberate misunderstanding of the situation. The model of North/South relationships was the European model. When Ministers from the various member states met they knew what was on the agenda and they had the agreement of their respective Governments. The negative way of looking at such arrangements was to say that any or each Parliament had a veto on the

business. The SDLP said the latter position was simply a stupid argument on the part of Sinn Féin. The party said it was time to look away from the negatives, otherwise the whole package could fall apart.

15. Sinn Féin said unionists had made it clear that they were not interested in strong North/South bodies but only in a consultative body, in other words a talking shop! This wouldn't be sufficient to support a deal across all the areas which people wanted. As regards Alliance's point on taxation powers, the party said it assumed all the members of the North/South Council would be elected representatives in any case, unlike the position of the Alliance leader in the House of Lords which itself took decisions on monetary matters. Alliance intervened to point out that the House of Lords didn't make decisions on money bills. This was part of the problem and demonstrated Sinn Féin's lack of understanding of the situation. The House of Lords couldn't do this; one had to carry the people with you.

16. The UDP pointed out to the Chairman that Sinn Féin was not properly constituted with three representatives on the front seat where there should only be two. The Chairman acknowledged this and asked Sinn Féin to re-adjust. Sinn Féin said it had real concerns that anybody in the north of Ireland would have the ability to restrict a North/South body. Those concerns had to be dealt with since its supporters could envisage a situation arising whereby the North/South Council would be emasculated by an Assembly. Sinn Féin said it hadn't heard anything from the unionists to enable it to tell its supporters to move forward into any arrangements which didn't have this veto. The party said this was a very difficult argument to win in the nationalist community. Its community saw UUP MP's throwing tricolours into rivers; it saw a denial of equality, domination and discrimination and it wanted these issues dealt with. Sinn Féin said it believed it had shown leadership in its paper "Bridge to the future" and wanted reciprocation from the unionists that, if the process was to move forward, it would be on the basis of a North/South

body being created with harmonising, executive and consultative powers. What it couldn't be was a North/South talking shop or be the subject of a veto.

17. Alliance returned to the point of "accountability". Looking at a North/South body the simple question here was in setting it up, would it be accountable or not and if so, how? Sinn Féin asked what exactly was meant by accountable? Alliance responded saying that the structure had to be capable of carrying the people. Sinn Féin said it had difficulties with this point because of its grave and serious reservations regarding an Assembly dominated by unionists. In this situation the Assembly had the power and the ability, as the negotiations themselves had shown, to effectively neuter a North/South Council. This, in turn, raised questions over the Council's ability to develop, be dynamic and powerful. Sinn Féin said it wondered whether, further down the road, there would still be a battle raging between unionists and nationalists with regard to the nature and powers of these bodies. The party said it was supposedly being asked to accept these structures in good faith but, if it couldn't get unionists to negotiate in good faith under Rule 16, why accept such a proposition when viewed from that perspective?

18. The SDLP said if everyone was to look at the issues in this light then nothing would be resolved. The basic fact of the matter was that society was divided here. Each side had a veto and, if used, there would be no solutions. The process was trying to create the situation where both sides could work together. The party said it could use its veto in an Assembly and bring it down much like Sinn Féin's description of the unionists in a North/South Council. Alternatively, everyone had to look for that common ground on which to build agreement. Trust and goodwill were needed. These were the essential qualities to make it work. Parties also had to be careful to build in safeguards in their proposals. Sinn Féin would require similar safeguards as the SDLP for North/South bodies. Certain safeguards would be required by the unionists on the Sinn Fein model previously outlined. Most importantly,

people on each side had to generate goodwill but be realistic to know that safeguards were required in Strand One and Strand Two. In the latter case, a balanced approach was needed from both sides and the primary safeguards were consensus and accountability in the North/South Council. To work on the basis of assumed untrustworthiness of those with whom one was trying to seek agreement flew in the face of what was being attempted in the process.

19. The UDP said it couldn't fathom the Sinn Féin argument on this. Democratic control could only be taken forward when Government introduced operational policy against the will of its people. Sinn Féin said it might be worthwhile looking back at experience. It was entirely predictable that the northern institution would be affected by the shared experiences of the communities and the conditioning circumstances of each. All those unfortunate influences would impact on what was being discussed in the talks. There was therefore a whole range of issues for the North/South body to tackle but one had to take cognisance of that previous history and conditions and devise a fail safe mechanism to permit the body to continue to function, otherwise the two Governments would have to come in and do what was necessary. Sinn Féin said, however, that if such a North/South body was accountable to the Assembly, with the range of experiences it had encountered in local Councils, then the process underestimated the problems that faced it when it attempted to deliver co-operation for the mutual benefit of all the people. The party said everyone had to outline a way to avoid the bearpits of the past and develop a new experience of sharing responsibility.

19. The PUP said there were two arguments here. Unionists were in the majority in Northern Ireland. This was a fact of life which could not be changed. Given this the party believed unionists were being generous since they were offering concessions - a position which Sinn Féin didn't accept. The party said perhaps one should ask those in the majority in Scotland and

Wales what concessions they were giving to minority communities. The PUP said it was tired of this generosity being thrown back in its face by nationalists. Unionists could hold out for majority rule if they so desired but the party believed in the sharing of power. The PUP said that in the Strand One discussion the previous day Sinn Féin had talked about built in majorities in an Assembly but both the SDLP and Sinn Féin had a veto in the Assembly which seemed to be acceptable in that context but not in a North/South body. It appeared to the PUP that nationalists wanted majority rule for the North/South body when they spoke of it having dynamic and strong powers. This approach clearly left unionists in a minority position. The PUP asked whether it was not therefore right and proper for unionists to have guarantees in the North/South arrangements much the same as the SDLP and Sinn Féin would have in a northern Assembly?

20. The PUP continued by referring to Sinn Féin's comment about involving the two Governments if North/South arrangements failed to deliver because of the attitude of a northern Assembly. It hoped this sort of mechanism would not be written in since it provided an easy option for never achieving agreement. If there was no agreement in North/South structures then there was no agreement. Everyone needed everyone else in these arrangements. It would be a new start for all; a new beginning based on trust. If trust couldn't be achieved amongst the participants, what chance had the electorate got in deciding to support any new arrangements? The PUP said it was time to forget about the sins of its forefathers. Everyone had to concentrate on what could be achieved at this point. The party said Sinn Féin had failed to recognise how far unionists had come; they had gone further than anyone would have envisaged, yet Sinn Féin wanted even more from them. Was Sinn Féin forgetting that unionists had a responsibility to sell the proposals in the Shankill and East Belfast and so on? Of course unionists wanted peace, stability and reconciliation but not at any price. The party said Sinn Féin was moving desperately close towards talking about joint authority

in its model where even unionists had no say. One needed to be careful about such an approach. Strong North/South bodies would ensure that the concerns of unionism would not be dealt with. It was time for Sinn Féin to look at what was on offer from an Assembly and recognise the generosity of unionists.

21. Sinn Féin said this was a Strand Two session and the Assembly had been discussed the previous day in Strand One. The debate here was on North/South bodies. The party said it wasn't present to pick up unionist concessions, it was here for its rights and for what its people were entitled to. The real question therefore was what were unionists offering the nationalist people in North/South bodies? Would unionists see such bodies as having either executive, harmonising or consultative powers?

22. The PUP said it was impossible to divide Strand One and Strand Two in this context. It had been trying to point up what unionists were offering in a new Assembly and didn't go along with the notion of what people were "entitled to". The party said it wanted to be realistic about what could be achieved in an Assembly. It was also important for people to realise that the North/South body had to be a voluntary structure, working for the mutual benefit of the people in both parts of Ireland. Achieving this meant one side couldn't dominate the other. Similarly the party viewed an Assembly as being of benefit to all the people in Northern Ireland. However unionists viewed Sinn Féin's vision of a North/South body as bringing about victory and defeat and not about mutual co-operation. If Sinn Féin's requirements were built in, then one was simply subjugating one ideology for another. Society was divided and the key to moving from this was to genuinely build, through the creation of trust, a new society whereby both ideologies could exist. The party was not playing games with this but rather pointing up the flaws in Sinn Féin's position.

23. Sinn Féin said its previous question on what should comprise the powers of North/South bodies remained unanswered. The PUP said such a body should promote genuine co-operation and illustrated two Ministers meeting and seeking agreement for the benefit of all the people. None of this was a game to unionists yet they had to listen to Sinn Féin's view of the present process as a "phase in the struggle". Sinn Féin repeated its question on North/South bodies. It had heard from the PUP but what was the UUP position? The party said it had heard unionists saying how cold they were about an Assembly thereby implying that many of them were following an integrationist line. Did this mean that unionists wouldn't be unhappy with a failure of the current process?

24. The PUP said the process could lead to a new beginning for all. It was up to the bodies themselves to develop what they wanted in relation to overall co-operation. The party moved on and asked what else it had to do to convince Sinn Féin that it was sincere, both in terms of an Assembly and North/South bodies. There wouldn't be another opportunity for a new beginning for a long time but if Sinn Féin believed the process was about victory and defeat then it had made a big mistake. There was no victory or defeat for anyone. It was time to forget the past on all sides. The party had meant what it said earlier about giving concessions. Majority rule was in force everywhere else in the UK bar Northern Ireland. That was a concession and Sinn Féin needed to take cognisance of it.

25. The UDP said there wasn't a democratic system on earth which didn't have a veto or a majority since any such system, by definition, had to have an advantage in it. However the process was also about trying to create interdependency across the communities. The party said it wished to ask a question of Sinn Féin following its comments on requiring an independent North/South body. Did Sinn Féin see a North/South body taking decisions by agreement? Exploring this further the party asked whether this agreement

only came from an Assembly? Was it not more likely that an Assembly, rather than the Oireachtas might not be able to agree issues? Furthermore the UDP recalled Sinn Féin saying that in the event of no agreement, the two Governments would have to be brought in but how would this work in practice? Was this democracy? The UDP said there needed to be agreement between those who had responsibility to administer on both sides (north and south). The party said, however, it was now time to move beyond this and consider how best to take the debate forward. This part of the process had moved beyond Sinn Féin's comments and negotiations were what was required.

26. The SDLP said it wanted to focus on the practical issues before everyone and wished to clarify some of Sinn Féin's remarks on North/South bodies. On page 5 of its recently distributed "discussion document" concerning "powerful all-Ireland bodies", the SDLP said nowhere in this did it get any sense of where membership of North/South bodies would be drawn from, yet bullet point 4 spoke about bodies "operating independently". The party asked whether the membership would be directly elected. If this was the case then clear proposals on achieving this were needed. If not, then where did the membership come from? Furthermore there was no mention of a northern institution supplying part of that membership. However bullet point 5 spoke of bodies being "immune from the veto of any proposed six county institutions". Was it therefore the case that Sinn Féin actually did accept a northern institution as being part of the agreement? If this wasn't the case then the party needed to outline where the membership of the North/South body would be drawn from, presumably either other institutions or direct elections?

27. The SDLP said this latter point was connected to accountability. If membership was drawn from an institution other than an Assembly, then the source of authority would be an indirect one and this conflicted with Sinn

Féin's earlier position on this point. The party also asked about decision making aspects of any North/South body as considered by Sinn Féin. There were no details on this in its discussion paper and the absence of such information made it difficult to understand what kind of bodies Sinn Féin was talking about.

28. Sinn Féin said it was grateful for the SDLP's concentration of effort on its position but still awaited a reply from the UUP to earlier questions. The SDLP said it had discussed these aspects with the UUP in previous meetings. Sinn Féin said it hadn't had the benefit of hearing the UUP position on North/South bodies and looked forward to a response.

29. The UDP said the participants were covering old ground, which it had not asked to do when it returned to the talks after its suspension. The party said there had been substantial discussion of accountability, and suggested that the debate move on to the issue of administrative support. The Chairman said he had made clear from the beginning that the issues in the paper were overlapping, and had not imposed a requirement that speakers address the current heading alone. There being no further comment on accountability, discussion turned to administrative support.

30. The SDLP said the paper described a minimalist secretariat, which would provide support for the convening of meetings rather than the broader concept proposed by the party. The SDLP said the secretariat should have a role in generating ideas for consideration by the North/South Council, and in communicating its decisions to and receiving reports from the implementation bodies. It said the secretariat staff should not be drawn exclusively from the two civil services, but should also be able to recruit staff directly, or by secondment, from the public and private sectors.

31. The NIWC said it also supported this idea, as seconded staff might prove useful during the transition period. It also cautioned against too much overlap between the North/South Council secretariat and that established to service a Council of the Isles, as each body would have its own body of work. The SDLP said it supported this point. The UDP said it did not want to see another Maryfield, which was an important symbolic issue for Unionists. There would have to be administrative support appropriate to its workings at a given time. However, it should be situated in the wider East-West secretariat.

32. Moving to the heading "Joint Parliamentary Body", the UUP said it was opposed to this suggestion. The SDLP said it was in favour, believing a consultative forum of this nature would provide additional accountability and enhance co-operation. It also believed the inclusion of members not exercising executive responsibility would provide a valuable perspective, and help prevent a concentration on issues affecting the eastern seaboard. The PUP said this was a matter for the Northern Ireland Assembly to decide, though there was a strong possibility that such a body would be required.

33. Sinn Féin said its preference was for national democracy, maximum decentralisation and regional councils. It regarded this stage of the three-stranded approach as transitional. The party said it was opposed to a Northern Ireland Assembly as it did not wish to see a return to unionist domination. Sinn Féin said new North/South structures must involve maximum executive, policy and implementation powers with a time-tabled progressive extension of its remit. The party said it did not accept the legitimacy of the northern statelet. It was up to the two Governments to bring forward agreed positions to move the negotiations on. Sinn Féin exhorted unionists to accept that it was the broadly held opinion of nationalists that there needed to be all-island institutions. It said the UUP proposals did not approach nationalist expectations which were that North/South bodies must have executive, consultative and harmonising powers with a range of

functions initially designated by the two Governments, and be protected from a unionist veto.

34. The PUP asked whether Sinn Féin and the SDLP would have a veto, to which Sinn Féin replied that no-one should have a veto; majority rule had been used in Northern Ireland to discriminate. The PUP said unionists had to take it on trust when Sinn Féin reaffirmed the Mitchell principles, and said the party would have to take commitments about a North/South body on trust as well. All sides had experienced discrimination , but it was trying to build a new beginning based on trust.

35. Alliance said it was disappointed by Sinn Féin's contribution which, in referring to the people of Ireland, reminded the party of Ian Paisley's references to the people of Northern Ireland - in both instances neither spoke for anyone other than their constituents. The most representative body of opinion in the island to date had been the Forum for Peace and Reconciliation, at which it was Sinn Féin that had been isolated, as all of the other parties, including Alliance, had found considerable agreement. Sinn Féin was entitled not to sign up to an agreement, but it must recognise that this would be a minority position. The party read the section on North/South bodies from the Framework Document. It said Sinn Féin had not been forced to participate in the three-stranded process, and called on the party to be clear about whether it intended to be part of an agreement.

36. Sinn Féin asked whether there had been agreement on a Northern Ireland Assembly and North/South bodies during its absence, and asked the UUP for its view on North/South bodies. Alliance said a degree of understanding had been emerging, but they were now revisiting earlier discussions. The PUP said there was agreement that there should be North/South bodies and, as there was a requirement for sufficient consensus, this meant they had been agreed by unionists as well. Sinn Féin asked if this

was the case for the UUP. The SDLP said the Chairman, in his March 10 paper, had interpreted the areas in which he believed there was agreement. The Chairman said this was correct. He had drawn up the paper with the consent and support of the participants. It reflected their discussions, and contained no original thought on his part. If there was to be an agreement then certain principles would have to be signed up to. The morning's discussion had been helpful in providing a further basis for refining his paper further, or framing it as specific questions which would elicit further agreement or disagreement. He would ask at the conclusion how they wished to proceed.

37. The Chairman invited comments on the heading "role of civic society". Sinn Féin called for an all-Ireland consultative forum involving representatives of civic society and the social partners which would play a positive role in enhancing participatory democracy. The two Governments had a responsibility to govern and should push ahead in all of these areas. It observed that all of the parties had given their views on a North/South body, except the UUP, and asked that party for its views. The UUP said it had stated its position several weeks ago and had published a paper on the subject.

38. The NIWC supported the idea of a consultative forum. It said there was already a buoyant civic society both North and South, but said such a body would not prevent existing co-operative networks from continuing their work. The PUP said there was a difficulty with how one defined civic society, and wondered how such a body would relate to a Northern Ireland Assembly. It also cautioned against establishing a body that would merely reflect opinion in an assembly, and feared that participating organisations might be perceived to share the political views of the parties that proposed their membership. The UDP said this was a matter for the Northern Ireland Assembly, and said they were not yet at a stage where a non-elected forum

would be helpful. The NIWC said there were a number of existing models of umbrella organisations for consultation. The party appreciated the concerns of some about a subversive element, but there should be a role for those who had worked in society. It observed that the EU social and economic committee did not have political members, and the National Economic and Social Forum in the Republic had a panel drawn from the partnership sector. In Northern Ireland there was the example of the partnership boards.

39. The SDLP said it had been influenced by their participation in the New Ireland Forum and the Forum for Peace and Reconciliation. It recommended interaction between those with political responsibility and those served by it. Arrangements need not be elaborate, but should ensure a role for civic society. This was a proposition that was widely endorsed elsewhere, and the European experience had been positive. The PUP paid tribute to community workers, but feared such a body could be open to political manipulation, instancing the recent establishment of a nationalist association of community workers which, it feared, might be matched by a rival unionist association. Alliance said civic society was an important component of governance, but, it was not always desirable for Government to become involved in this sector nor was it for Government to direct and establish structures. Independence from Government and diversity were the strengths of civic society; accordingly it would be counter-productive to establish bodies other than a second chamber, but this was an idea which had not received much support. What was needed was a commitment to engage with civic society, and to encourage it to organise itself in such a way as to enhance interaction with Government. They should also encourage the different interests within civic society to interact so that joint positions could be reached which would then be brought to Government.

40. Sinn Féin supported the idea of a forum, and stressed the importance of the voluntary sector. It said democracy was about empowering people, not

politicians, and must be inclusive. It asked those opposed to the suggestion to reconsider their positions. The SDLP saw an important role for such a forum in Strands One and Two. The party observed that certain policies affected certain policy communities, and their participation in a consultative forum would be a means of assessing policies proposed by Government. The SDLP envisaged a forum involving a number of different colloquies which would ascertain whether policies were practicable and capable of delivering their stated objectives. As such it would also be an accountability mechanism. The party said the PUP had stressed the need for trust, but deferring everything until an Assembly was established suggested they wanted that Assembly to have a veto over everything. The PUP reiterated its commitment to civic society, and Alliance contended that it was for civic society itself rather than an Assembly to produce suitable structures as to attempt a definition of participants would be contentious. The SDLP accepted that civic society was reflective of society but it was not representative of it, which was why the party was opposed to a second chamber. It reiterated its concerns about the reduction of safeguards and guarantees in a settlement which raised the question of trust. The PUP said none of its questions had precluded the involvement of civic society.

41. Moving on to the heading "fall back arrangements", the PUP said this had already been discussed. Alliance observed that if, as stated in the paper, the North/South body had 'failed completely' then so would the whole agreement. In such circumstances the two Governments would have to continue to work together as before. However, the party was opposed to a facility for parties to approach either Government if it were dissatisfied at the way the Council was operating, as this would remove any incentive to reach agreement in the Council. The PUP said there was no need for a fall back mechanism if the settlement had collapsed as the two Governments would work together. The UUP said it was opposed to incorporating such a mechanism in the agreement as it had to be built on trust. The PUP said it

was right that the British Government should act in the event of the settlement collapsing. It was wary, however, of institutionalising a role for the Irish Government in such circumstances.

42. There being no further comment, the Chairman declared that they had reached the end of the discussion of his paper of 10 March. Participants would now have to consider how best to proceed in the remaining weeks, which he proposed should occur in the review Plenary that afternoon. Labour recalled that there was to have been a further opportunity to discuss the functions of implementation bodies. The Chairman said this was one of the questions he intended to put to participants in the afternoon. Everyone would have to determine whether there should be another Strand Two meeting, and in what format, whether the Chairman should prepare a further paper or circulate any documents received, or whether a different method of proceeding should be adopted. Strand One had met the previous day, and would meet tomorrow. It was appropriate that these decisions be taken in the overall context of the negotiations. Accordingly, he adjourned the meeting at 13.35, with the review Plenary to convene at 15.00.

Independent Chairmen Notetakers
31 March 1998