

# NORTHERN IRELAND WOMEN'S COALITION

## DECOMMISSIONING - 13 NOVEMBER 1996

1. The Women's Coalition commits itself to work constructively to implement all aspects of the Report of the International Body, in the context of an inclusive and dynamic process in which mutual trust and confidence is built as progress is made on all the issues of concern to all participants.
2. The Women's Coalition reiterates its emphasis on paragraph 31 of the Report of the International Body that both Governments and all participants should offer reassurance "that a meaningful and inclusive process of negotiations is genuinely being offered to address the legitimate concerns of [all] traditions and the need for new political arrangements with which all can identify". The Women's Coalition believes that this should form part of the contextual agreement on decommissioning.
3. The Women's Coalition welcomes the approach taken by both governments to introduce enabling legislation to make decommissioning possible including legislating for an Independent Commission with appropriate legal status and immunity to allow the Commission to operate independently in both jurisdictions.
4. The Women's Coalition notes the discussions about whether or not there should be a Sub-committee to deal with decommissioning. It is our view that such a Sub-committee would be valuable and would add to the process. We note that the report of the International Body refers to the appointment of the Independent Commission "on the basis of consultations with the other parties to the negotiating process". We also note that the report also states that "the details of decommissioning, including supporting confidence-building measures, timing and sequencing have to be determined by the parties themselves". Papers from participants, for example the Governments, the UUP and the Alliance Party have all raised issues around these matters which require detailed consideration in a Sub-Committee or Working Group.



5. With due respect to our colleagues, papers and verbal inputs to date have been strong - and long - on rhetoric and weak on practicalities. There is a considerable amount of work to be done by participants, not just as single parties but collectively, and this would be enhanced with expert assistance to the process. This as with the points raised in No. 4 suggests the establishment of a Sub-committee or Working Group.
  
6. We draw attention to paragraph 30 of the Rules of Procedure which allows the chairman to invite participants to set up a broadly representative working group, and to refer matters to an agreed group of experts with the agreement of the parties. If some parties have difficulty with the idea of a Sub-committee, perhaps the concept of a Working Group would serve. The Women's Coalition notes that sufficient consensus is an issue around a Sub-committee on decommissioning; but we would draw attention to the fact that paragraph 30 which refers to a Working Group is a stage in decision-making in advance of the final decision-making mechanism. The Women's Coalition believes that the interactive combination of a Sub-committee or Working Group with experts would be helpful.
  
7. The Governments' suggestions on making expertise available to the Sub-committee and the same expertise available to the Independent Commission is one useful point of cross-over to establish continuity. But this does not negate a continuing and delicate role for a Sub-committee. The Women's Coalition would see the Sub-committee's role as one of liaison and of "accompanying" where parties are constructively accompanying the process of decommissioning. These are roles which have to be handled sensitively because an Independent Commission is an **Independent** Commission, but they would allow some interplay between political parties and the Independent Commission without stepping into the traps of constricting the Independence of the Commission. The Sub-committee could report to Plenary in a way the Independent Commission could not do so.



# NORTHERN IRELAND WOMEN'S COALITION

## DECOMMISSIONING - 13 NOVEMBER 1996

1. The Women's Coalition commits itself to work constructively to implement all aspects of the Report of the International Body, in the context of an inclusive and dynamic process in which mutual trust and confidence is built as progress is made on all the issues of concern to all participants.
2. The Women's Coalition reiterates its emphasis on paragraph 31 of the Report of the International Body that both Governments and all participants should offer reassurance "that a meaningful and inclusive process of negotiations is genuinely being offered to address the legitimate concerns of [all] traditions and the need for new political arrangements with which all can identify". The Women's Coalition believes that this should form part of the contextual agreement on decommissioning.
3. The Women's Coalition welcomes the approach taken by both governments to introduce enabling legislation to make decommissioning possible including legislating for an Independent Commission with appropriate legal status and immunity to allow the Commission to operate independently in both jurisdictions.
4. The Women's Coalition notes the discussions about whether or not there should be a Sub-committee to deal with decommissioning. It is our view that such a Sub-committee would be valuable and would add to the process. We note that the report of the International Body refers to the appointment of the Independent Commission "on the basis of consultations with the other parties to the negotiating process". We also note that the report also states that "the details of decommissioning, including supporting confidence-building measures, timing and sequencing have to be determined by the parties themselves". Papers from participants, for example the Governments, the UUP and the Alliance Party have all raised issues around these matters which require detailed consideration in a Sub-Committee or Working Group.



5. With due respect to our colleagues, papers and verbal inputs to date have been strong - and long - on rhetoric and weak on practicalities. There is a considerable amount of work to be done by participants, not just as single parties but collectively, and this would be enhanced with expert assistance to the process. This as with the points raised in No. 4 suggests the establishment of a Sub-committee or Working Group.
  
6. We draw attention to paragraph 30 of the Rules of Procedure which allows the chairman to invite participants to set up a broadly representative working group, and to refer matters to an agreed group of experts with the agreement of the parties. If some parties have difficulty with the idea of a Sub-committee, perhaps the concept of a Working Group would serve. The Women's Coalition notes that sufficient consensus is an issue around a Sub-committee on decommissioning; but we would draw attention to the fact that paragraph 30 which refers to a Working Group is a stage in decision-making in advance of the final decision-making mechanism. The Women's Coalition believes that the interactive combination of a Sub-committee or Working Group with experts would be helpful.
  
7. The Governments' suggestions on making expertise available to the Sub-committee and the same expertise available to the Independent Commission is one useful point of cross-over to establish continuity. But this does not negate a continuing and delicate role for a Sub-committee. The Women's Coalition would see the Sub-committee's role as one of liaison and of "accompanying" where parties are constructively accompanying the process of decommissioning. These are roles which have to be handled sensitively because an Independent Commission is an **Independent** Commission, but they would allow some interplay between political parties and the Independent Commission without stepping into the traps of constricting the Independence of the Commission. The Sub-committee could report to Plenary in a way the Independent Commission could not do so.



# ***NORTHERN IRELAND WOMEN'S COALITION***

## **DECOMMISSIONING**

1. The Northern Ireland Women's Coalition has already made its position clear that it sees the idea of decommissioning in the context of the overall talks and indeed as an essential element in a twin-track approach to peace. We feel that it is crucial that there are no attempts made to decouple the twin-track process and that decommissioning can only move forward within the context of political progress through all party negotiations. We accept that the onus is on us and other political parties in this room to move the political discussions forward so that we can start to create the conditions whereby the forces who are actively involved in the decommissioning process can also make progress.
  
2. The Women's Coalition has listened with interest to many of the contributions around this table on the thorny issue of decommissioning. We acknowledge the views of those who say that it is difficult if not impossible to do business with those who have a gun in one hand and a ballot in the other. We recognise the fear of those who say that if the weapons are not put away then any agreements emerging out of these All-Party Talks, could be blasted away by a renewed outbreak of hostilities. But equally we believe that even in the hypothetical situation that if disarmament was achieved the in morning, more weapons would be acquired in the event of substantial political discontent thus what we need to put in place are the building blocks of political accommodation which in turn can lead to genuine decommissioning for it is our view that decommissioning at the end of the day must be a voluntary initiative.
  
3. The Women's Coalition feels that there is considerable international evidence to suggest that political talks and political accommodation have to take place alongside, if not before, effective decommissioning. We note the UNIDIR conclusions about managing arms in peace processes such as in Croatia and Bosnia-Herzegovina in 1996, "Disarmament can only be effectively implemented if the following two conditions are present : (1) Agreement between the parties and (2) Credible enforcement by the multilateral force." While at a recent meeting in Belfast attended by a number of parties represented here, both Cyril Ramphosa of the A.N.C. and Ruelf Meyer of the National Party accepted that if there had been an uncompromising demand for weapons to be handed over before a political settlement, then the settlement would never have been reached. Indeed two points were made by both South African negotiators:-



(1) an acceptance that the A.N.C. could not be seen by their constituency to be surrendering prior to political negotiations - i.e. an acceptance of the powerful symbolic role of decommissioning and

(2) the vital role played by the fact that Umkhonto we Sizwe (MK) had been prepared to announce a suspension of violence - an announcement that was made in August, 1990, three months after an agreement by the National Party on the release of political prisoners and the return of A.N.C. exiles.

4. The Women's Coalition however, does believe that there is virtue in the twin-track approach with attention being given to developing a framework for decommissioning, in order to avoid the current South African dilemma where there are a multiplicity of guns left in the system. Again we are conscious of the UNIDIR report on small arms management and peace keeping in Southern Africa published this year which noted -

“That failure to implement effective disarmament measures during multilateral peace support operations has not only contributed to the proliferation of small arms within and between the countries of Southern Africa, but has directly and indirectly helped to sustain the various forms of inter-state conflict.” It is to avert this situation that we believe there is virtue in at least addressing the framework for decommissioning within the context of the twin-track approach. Clearly, however it would help to eventually operationalise the framework if all those who had the capacity to decommission were actually sitting around this table. The Women's Coalition still feel that without achieving this end, then the principles and mechanisms of decommissioning - no matter how carefully worked out, will ring hollow in practice.

5. In short, our aim - like many other political representatives here - is to get to a situation where we have the political space to address issues of our shared future. And I would particularly wish to underline this latter point in response to the contribution made by Reg Empey at the beginning of the discussion on the disarmament issue when he said that illegally held guns on the Republican side were pointing at him, and his family, and at many like him. It is only in a situation where we are no longer talking about establishing peace on a win/lose situation - heads, an United Ireland; tails, integration with Britain - that we can actually start sounding out the alternatives on a shared territorial entity that can offer political accommodation to the continuing reality of our coexistence, while not trampling on our respective aspirations. But to achieve that the Women's Coalition believes that we need the political inclusion of all potential viewpoints, and that is why we are firmly opposed to the political manipulation of this debate to engender further fears, or to seek the installation of additional political hurdles for anyone who might seek inclusion.



6. Unlike Mr. McCartney and Mr Paisley, the Women's Coalition do not accept that the Anglo-Irish political process over the last decade - and particularly in recent years - was in reality a Machiavellian plot to bring Sinn Fein into the political system. Indeed we would argue that the series of Anglo-Irish constitutional proposals that have emerged since the mid 1980's have certainly articulated principles of equality and pluralism but have also emphasises that any political changes should be obtained by peaceful means and should be governed by the principle of consent. Thus the Anglo - Irish Agreement of 1985 expressly ruled out any form of Irish unification as an immediate term option as it made express provision for Irish unification only by consent of the majority of the people of Northern Ireland. This in effect placed the onus on those who advocated Irish Unity to both engage with and to persuade Unionists, that a United Ireland was in their interests. The Downing Street Declaration of November 1993 also re-asserts the principle of consent. The Framework Document lays down as a guiding principle that "the consent of the governed is an essential ingredient for stability in any political agreement." And while this statement, it can be argued, can be taken as a restriction on simple majoritarianism it is also a decided rebuke to those who would seek to affect change by force of arms.
  
7. We believe there is real danger when some parties in the extended Unionist family show either an unwillingness or an inability to accept that there is a middle ground between integration within the United Kingdom and an United Ireland, because in effect they close off the possibility of creating political dialogue around the safeguards that the principle of consent can underwrite for both the majority and the minority communities here in Northern Ireland. Because what makes the principle of consent so important is that we are in essence dealing with the complexities of a double minority challenge here in this political process - the minority of the Nationalist community within Northern Ireland and the minority of the Unionist community within the island of Ireland. And it is within this complexity that we need to work out mutual safeguards and guarantees. It is also within this context that we need to pursue the twin - track process: making political progress to develop ways of living together that will respect the principle of consent, moving towards a framework for decommissioning that will no longer be merely symbolic and that can lay Reg Empey's very genuine fears to rest.



8. The Women's Coalition is also conscious of the fact that if the spectre of a deeply laid Government plot to give pride of place to Sinn Fein in these talks is raised by some Unionist politicians in a lengthy and repetitive manner, then there is a real danger that some Unionist and Loyalist people will be forced to adopt an unduly defensive position. We feel that such a position would be based on a deliberate misrepresentation of the Anglo- Irish process to date; and as such is unwarranted and unjustified. Needless to say, however, if violence is to result from such misrepresentation of the facts, politicians of different parties will be knocking each other over in the rush to denounce those who commit acts of violence, while inevitably in such a scenario the prospect of decommissioning will become an ever more elusive quest.
  
9. While reiteration of the principle of consent should instil a degree of confidence in Unionists, that same principle poses a genuine political dilemma for Republicans - as indeed was seen at the Forum for Peace and Reconciliation in Dublin. The pro-consent consensus marginalises those who would assert their barrel of the gun philosophy and encourages a focus on the persuasion of Unionists by those who seek an United Ireland. Indeed, the Women's Coalition believes that the outcome of Anglo-Irish deliberations to date leaves those advocates of a traditionalist Sinn Fein strategy effectively between a rock and hard place. They either face return to a destructive, but virtually unwinnable, war or entry into political negotiations that are focused on the principle of consent and by the need to engage with representatives of Unionism and Loyalism. This scenario does not lay the ground for the inter-governmental conspiracy theory that has been sketched out for us in a number of contributions to this debate. Indeed, if anything, because of this the Women's Coalition believe that Sinn Fein needs to be provided with urgent argument as to why they should engage in the political process rather than more and more obstacles being placed in the path of their participation.

As has been pointed out by others we must seek to decommission the mindsets that give rise to violence, rather than indulging in the politics of demoralisation and wishful thinking. Because the reality remains that without political progress, decommissioning remains wishful thinking. Indeed the history of Republican campaigns has shown that the IRA has not engaged in decommissioning - even in situations of defeat. In May 1923 Frank Atkin told the Republican forces to dump arms and disperse - not decommission unless we are to have a new understanding of that term. Equally, no decommissioning followed the dwindling IRA campaign in 1945 despite the then Irish Minister of Justice Gerald Boland's claim that the IRA was dead and that he had killed it. Arms were again dumped rather than decommissioned, when the cease-fire was announced in February 1962 in relation to the Boader campaign (a special army order on 5th February 1962 again directed all IRA units to dump arms). The antipathy to decommissioning is not only reflected in Irish history but can also be garnered from international situations where there is consistent evidence of political negotiations taking place with armed



groups, prior to the achievement of decommissioning. Thus emissaries of the Spanish Government have been held to have had talks with ETA representatives in Algeria in 1989. There was no decommissioning by the P.L.O. before the signing of the Declaration of Principles (the Oslo Agreement) in September 1993. France also has a history of negotiation in relation to the conclusion of the Algerian war, and more latterly with Corsican nationalists and the situation in South Africa has already been referred to. Consequently, one wonders whether the Washington Three principles adopted in 1995 were either a quixotic attempt to buck the historical and current international trend; a further British Government concession to demands being placed on them or a unilateral British Government raising of the odds.

10. Nevertheless whatever about the lost opportunities and misgivings around the recent past, the Women's Coalition is committed to the Mitchell Principles and is determined to do all in its admittedly limited power to take the gun out of Northern Ireland for good. To that end we are happy to keep the issue of decommissioning on the agenda but not to raise unrealistic and unrealisable expectations about that issue in the current circumstances. Furthermore we feel that there is a clear benefit in the maintenance of communications between relevant political parties and various paramilitary groupings because without that decommissioning will not only become difficult but it will become very remote indeed. As Andrew Marr of the Independent said in November 1995 (7th) "if Adams was not hated, he would not be worth trying to negotiate with". And the Women's Coalition feel that there is a certain degree of hypocrisy in those who demand the complete dissociation between democratic politics and paramilitarism. The reality is that on all sides all too often democratic politics has operated on a continuum between peaceful dialogue; threat and innuendo; and outright violence. The Women's Coalition also noted that the RUC pointed out the risk of splinter groups if the decommissioning issue was not sensitively handled as far back as January 1995. Indeed Eamon Mallie quoted top Garda and RUC sources as telling 'The Observer' that it was more important to bring all the paramilitaries to the negotiating table, even armed, than risk the creation of splinter groups by insisting on disarmament.



11. The queries and views that the Women's Coalition would still have of any disarmament process are as follows:-

(1) What arms are we talking about in any disarmament process? It is our belief that we must also look at the disproportionately high level of legally held guns in Northern Ireland, particularly in the light of the recent Cullen Report in Great Britain. Estimates in 1995 refer to some 120,000 legally held guns in Northern Ireland. In a recent report "Taking Domestic Violence Seriously", it was pointed out that Northern Ireland has a relatively high spousal homicide rate and that the availability of legally held weapons may be an important factor in this context. For this reason, the Women's Coalition would like to see us moving towards a situation where guns are taken out of the home as well as off the street.

(2) We are in favour of a Committee of Experts to be set up by the two Governments and feel that it is important that there is an international representative on the body. This committee would essentially have the responsibility for bringing forward a framework for decommissioning.

(3) We are conscious of the potential of the process of decommissioning to give rise to an increase in the internal trade in weapons and a consequent increase in organised crime if the process is not effectively handled.

(4) We feel that the armed status of the RUC must be taken into account and that some consideration be given to the decentralised models of the policing in England, Scotland and Wales. Indeed related policing debates should also take into account international examples of a two tier police force - i.e. for community and for security purposes.

(5) We note that issues of forensic testing of weapons; amnesty in relation to weapons decommissioned; and other related aspects need to be worked through by the Commission of Experts. Amnesty is a difficult issue.

(i) There is no monopoly on grief around this table and we sometimes need to remind ourselves of this when we speak about victims.

(ii) Those of us who have worked with victims know that there is a plurality of interests amongst victims.

(iii) Many want to know the truth about their particular situation rather than have retribution.

(iv) Most of all, victims want some acknowledgement of responsibility for what has happened. For this reason the apology issued by the Combined Loyalist Military Command (CLMC), as part of their cease-fire declaration, went some way to meeting this particular need and the IRA should take note of this.



(6) Finally we agree with the report of the International Body that while the risks is necessary for peace in Northern Ireland may seem high, that the potential reward is great (para. 62).

12. It is clear that there are many issues that a Committee of Experts could make a point of addressing - even if only within the terms of a framework at this stage. The potential for the implementation of that framework in practice will depend on other factors not least on our attitudes and the development of a range of civilian confidence building measures. It will also depend on local political leadership in terms of not whipping up fears of various constituencies which then, in turn, become the excuse for an inability to compromise.

13. In conclusion, then perhaps I can reiterate a point made by Ruelf Meyer of the South African National Party in his visit to Belfast -

“We never actually believed that the A.N.C. would hand over its weapons. Yes, it was a demand on our side, and I spoke very frequently to Cyril Ramaphosa about it but we always found ways to bypass it. It’s strange, you know, if you have to find a way to bypass something you can find a way. We had to because if we made decommissioning a stumbling block, it would end the process. Perhaps that is the skill of genuine negotiators; and the commitment of politicians that are genuinely committed to negotiating a shared future”.