

# FORUM FOR PEACE AND RECONCILIATION

TRANSCRIPT OF PROCEEDINGS HELD AT DUBLIN CASTLE  
ON JUNE 9, 1995

Chairperson: Judge Catherine McGuinness

I hereby certify the following to be a true and accurate transcript of my shorthand notes of the above-named proceedings.

*Dave O'Leary*  
*Viola Doyle*

Doyle Court Reporters,  
2 Arran Quay,  
Dublin 7.

Telephone: 8722833  
2862097 (after hours)  
Fax: 8724486

DR. JOHN ALDERDICE: Thank you Madam Chairperson. We are today exploring in this debate East-West structures in the light of the Joint Framework Document, in particular, and this is, of course, a document agreed between the two Governments, the Governments representing the citizens of the United Kingdom and of the Republic of Ireland and as such are of considerable importance.

I want to make some comments on behalf of the Alliance Party in respect of those relevant paragraphs but I must just comment before doing that that I find myself rather puzzled by the Sinn Fein document which was presented. It says that it is based essentially on the Republican analysis and indeed to some extent on the Hume/Adams process. Well I find it difficult to judge on that because there seems, from what I can gather, to be a marked divergence between the position of Mr. Hume's party which accepts the Framework Document, the position of Mr. Adam's party which seems, from this, to be moving increasingly away from an acceptance of that kind of framework and process. Frankly I find it difficult to agree with much except paragraph 5.3 which said that there should be structures to encourage and enhance good relationships between two neighbouring sovereign States but it doesn't seem that we can even agree what the two neighbouring sovereign States actually are and I am perturbed a little at what I see as an increasing divergence, though frankly it's difficult

to know whether this is a real divergence since we never saw what the Hume/Adams document was in the first place.

In respect of our own views of East-West relations as they are described, there are, I suppose, three main aspects to which we'd refer: The first is in respect of Northern Ireland itself. We do regard it as both necessary and appropriate that there should continue to be an Inter-Governmental Conference to oversee the functioning of Anglo-Irish relations in respect of Northern Ireland. However, since the establishment of the Conference, the current Conference in 1985, we have always felt that one of its major disadvantages was the almost complete absence of direct input from the people of Northern Ireland through their elected representatives and so we welcome the fact that in the Framework Document the two Governments have recognized a proposal which we have long put forward that there should be mechanisms for input from a Northern Ireland Assembly directly. I don't dispute that it might be uncomfortable to have us inputting to an Inter-Governmental conference but you'll never solve the problems of Northern Ireland if you don't have an input from the people of Northern Ireland and it would be extraordinary if there were to be elected representatives in an Assembly and they were to be shut out of such discussions.

It is also important to emphasize that both in the 1985 Agreement and in the subsequent references in the Framework Document it is made clear that in respect of those matters which are devolved to an assembly the Inter-Governmental Conference's remit would not be in the content of those matters but only in the conduct of them in so far as it lay outside what was reasonable and appropriate. This is crucially important. Otherwise elected representatives in Northern Ireland will continue to be removed from the direct

exercise of responsibility and politicians without responsibility have a great tendency to become irresponsible politicians.

So on the question of the input from an Inter-Governmental Conference, it would largely be on the conduct and on the content, of course, of those matters which were not devolved to a Northern Ireland assembly.

It also does seem to us both reasonable and understandable that there should be some involvement of the Inter-Governmental Conference in a default mechanism but we do welcome and feel it is necessary that, as in paragraph 46, it indicates that that derogation, that there would be no derogation from the sovereignty of either Government and that intervention in a default mechanism would be in the form of consultations about it.

The second area then is in wider Anglo-Irish relationships and of course there are a host of these, going from such environmental matters as Sellafield, such social matters as the very large number of citizens of this State who are living in Britain and employment matters such as, for example, the drawing up of manpower figures in respect of a whole series of areas of social and economic employment and the relationship between that and training requirements, especially in respect of higher education. There are many areas in which judgments about manpower are done within the separate jurisdictions and related to training requirements at universities in the separate jurisdictions without any recognition of the fact that these who train in higher education are frequently prepared, encouraged and indeed sometimes required to move throughout these islands as well as further afield to seek jobs and it sets some of the manpower figures completely outside the realms of reality when they are constructed

without recognition of that.

It has earlier been mentioned that the model of the Nordic Council is an instructive one in these matters and I would wholeheartedly agree and welcome a further exploration of this. Because whilst we have discussed here before the question of harmonization between North and South, in the Nordic region the question of harmonization has extended throughout the Scandinavian countries. If, for example, one travels on a main route through Finland, across to Sweden and from there into Denmark, even the numbering of the roads and the ferry boats has been harmonized and it seems to me nothing other than reasonable that such cooperation should address the question of harmonisation throughout these islands as well as simply between North and South. There are many infrastructural, environmental, health, social and economic matters where we could develop there. And of course the reality is that there was a degree of harmonization of these matters and it might not be difficult to return to some of it.

But finally, if I might pick up the fact that at the end of the East-West section of the Framework Document we move into the question of the protection of rights. And I see no reason, and we have frequently made it clear that we see no reason, why there should not be an East-West component to the protection of human rights. The United Kingdom and the Republic of Ireland are both signatories of the European Convention but, as far as I know, either now or in the very near future, we will be the only two States which have not ensured that this Convention is justiciable through our own courts. Why could we not agree, as part of East-West arrangements, to move to such entrenchment which would begin to provide a human rights framework for these islands as a whole, one that we would share with, as common precedents and so

on.

I recall having previously raised this matter and being told by a senior Irish civil servant I was proposing a very deep solution indeed. I shouldn't have thought so. I should have thought this is an area of East-West cooperation well bedded in our European cooperation and surely in an area of human rights where we could all assent. Thank you very much.

---

MR. JIM GIBNEY: Go raibh maith agat Madam Chairperson. I just want to respond to John Alderdice's remarks and to put our contribution in some context this morning. As we see it, the framework for a solution has already been identified and obviously the two Governments, the Irish and the British Government, all the political parties who are here and those there are that are not here have an absolute role to play in finding a solution to this long-standing conflict.

However, we also put forward our view on certain principles and I outlined those principles and they had to do with the fact that we have had a number of attempts in the last twenty years to put together institutions in the six counties, internal institutions there. They have all failed. There have been a number of agreements made during that time as well, between both Governments. Similarly, those agreements, by and large, as we said, have failed.

But I would like this Body, and indeed John Alderdice, to respond to is whether or not the Irish people, as a whole, have the right to national self-determination or they don't have the right. Where I am sitting and the premise upon which we make our submissions to this Forum is that they do have a right to that national self-determination and any institutions that are put in place, until that day, should in no way limit that right and in fact they should contribute to that day when the Irish people can express themselves in that way. But I would just be interested in hearing whether John Alderdice thinks that the Irish people do have that right to national self-determination. Thank you.

CHAIRPERSON: Well as a particular question was put to John I will ask him to make a very brief response for the moment, but of

course this does raise enormous questions as was referred to in the Drafting Committee this morning.

DR. JOHN ALDERDICE: It does indeed and I think in some ways I would want to respond very clearly, and in conjunction with something that Brian Linehan said, and indeed that Jim Gibney himself has said. Jim said that the framework is there. Brian was saying there is a framework there that we have got to move to and my response is simply this: Yes, in the way it is described in the Framework Document.

My question is does Sinn Fein accept it as it is laid out in the Framework Document? He has said there's a framework. It's the only framework that I know of that has any widespread agreement. He has spoken about consent, self-determination and so on. It's there. I do accept it as it is there. Does his Party?

CHAIRPERSON: Well there are a number of -

DR. JOHN ALDERDICE: I think it is really rather important that we get a response to that, Madam Chairman, because it's a critical issue.

CHAIRPERSON: Yes. Very well. Jim?

MR. JIM GIBNEY: Well I will just remind John Alderdice that the authors of the document themselves said that it was a discussion document, that it isn't a blueprint and that's how Sinn Fein is dealing with it. There are aspects of the document we approve of, there are aspects of the document we don't approve.

Furthermore, I would say in relation to the document, and if you



compare the attitude of the British Governments today to that twenty years ago, then it's quite clear that they have moved considerably and that the British Government don't have a bottom line in relation to their future intentions in Ireland and it's upon that that Sinn Fein is trying to build and bring us towards a day when the Irish people can have the right to national self-determination.

DR. JOHN ALDERDICE: Madam Chairperson, I think it's an interesting development that the Alliance Party is crisp, clear and concise and Sinn Fein is sitting on the fence.