

European avenue can protect unionist rights

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Sean Farren, of the SDLP, has succinctly expressed the nationalist viewpoint in that there is a fundamental need to give political expression to the identity of the Nationalist tradition and its relationships with the rest of Ireland.

He further asserts that should this fundamental requirement not be met the basis for a normal and stable society will not be established.

This statement by Sean Farren clearly indicates a major difficulty facing unionism in the talks. Indeed, both the Irish Government and Sinn Fein have supported this SDLP attitude. Bob McCartney has stated (The McCartney Report on Consent) that all efforts by unionism “are doomed to failure because of the opposition of these three groupings”. Even if this were eventually to prove true, it is a defeatist attitude.

Mr McCartney’s statement shows what is at the heart of the problem - the attitude of mind of the pan-nationalist front and in turn the UK Government’s response to this attitude. Both the ‘Frameworks Document’ and the ‘Downing Street Declaration’ are symptoms of this problem.

Mindful that the Government appears determined to reach a conclusion to the talks process by May, and against a background of terrorist bombings, Unionism must not despair.

In these few remaining weeks the Ulster Unionist Party will ensure, by whatever means, that the unionist case will continue to be heard. The tactics of Sinn Fein must not be allowed to distract us from this central aim.

The Ulster Unionist Party’s position is clear; when you are a member of a club you are expected to accept and abide by the rules. The European Union is a ‘club’ with clear rules that give guidance as to the way forward for Northern Ireland. The Ulster Unionist Party has been using the talks process to highlight this fact.

Indeed John Hume has often used the example of Europe as a model to follow. He has indicated that the European Union is the greatest testament to the resolution of conflict and that Europeans are now engaged in a level of co-operation so intense that it has blurred the traditional bounds of sovereignty and notions of territorial integrity. He advocates that the same process should happen within the island of Ireland.

Unionism can readily accept that borders have become blurred by the pooling of sovereignty among the 15 nations within the EU. Since Ireland and the United Kingdom are both EU members, this situation already exists within the island of Ireland.

If John Hume wishes for this EU co-operation to be extended then a more logical position would be its extension to the British/Irish Isles dimension - in a balanced and equal manner - and not primarily within the island of Ireland.

However to compare the dynamics that have operated and continue to operate, among the States of the EU, with a political process designed to achieve a 'New Ireland' is taking the 'European model' too far. The 'European Model' is not about sovereign States, for example the UK and Ireland, encouraging a region of one State (Northern Ireland) to agree to cross-border political bodies aimed at integrating that region into the neighbouring State - all this being against a background of terrorist violence aimed at the same outcome. Such a process is anathema in the modern democratic Europe.

In the talks, the UUP has advocated a different perspective from the SDLP regarding the 'European model'. Indeed, within Europe Northern Ireland is not alone: there are many other European States that are wrestling with conflicting national identity. Conflicts exist, for example, in Slovakia, Romania, the Baltic countries and, for a long period, in Italy. The problems of Northern Ireland are clearly not unique within Europe.

The EU's rules in such situations are clear: borders are to be accepted and respected; regional government is to be developed enabling all to participate; and where there is cross-border tension co-operation across the border should be built up slowly from the base of already existing, and functioning, regional government.

To date, these rules are being applied both fairly and equally, on the same footing and with the same emphasis elsewhere in Europe - except in Northern Ireland.

The UUP accepts that the rights of both communities are important. Within the talks process the UUP has advocated that the UK government ratify a relevant European Convention. It did this in January, with implementation on 1st May. The Government must now show, by word and deed, this commitment to implementation.

This Convention is the first legally binding European agreement for the protection of national minorities within a State - the central problem in Northern Ireland. It clearly sets out the principles to be respected and the obligations that flow from them, for the effective protection of a community's rights, "within the rule of law, respecting the territorial integrity and national sovereignty of States."

Throughout, the emphasis is on the rights of persons within the member States, and while it refers to "measures to ensure transfrontier co-operation" (Article 18) there is no mention anywhere of cross-border political bodies with executive power.

This Convention specifically states that any person belonging to a national minority shall respect the national legislation and the rights of persons belonging to the majority (Article 20). But perhaps the most significant aspect is that nothing in this Convention, "shall be interpreted as implying any right to engage in any activity or perform any act contrary to the fundamental principles of international law and in particular of the sovereign equality, territorial integrity and political independence of States." (Article 21)

Article 21 not only condemns the activities of the IRA but also clearly forbids the continuance of the illegal claim to British territory contained in the constitution of the Republic of Ireland.

Through the Talks process the UUP has been endeavouring to build sufficient consensus to support a real genuine and honourable accommodation based on these established European rules. The reader may ask, will we succeed? Success cannot be assured but there is no other option than to try. If all Unionists had been participating in the talks, or by word and deed acted in support, this difficult task would be easier.

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