

The solution to our moribund Assembly already exists in the Council of Europe... so why does our political and media class not want to know?

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The headline on the Belfast Telegraph's editorial on September 5, in the context of the Brexit turmoil, stated that "Stormont is needed now more than ever".

On the same day, Lord Hain, a former Secretary of State for Northern Ireland, stated in the House of Lords: "With Stormont suspended and unlikely to be resurrected unless Brexit is stopped..." And, the previous day, Ken Reid, UTV's political editor, stated: "The two governments are going to bring forward compromise proposals to the parties to try and restore Stormont."

When Boris Johnson visited Northern Ireland for the first time as Prime Minister on July 31, he gave one very brief interview, in which he stated: "The crucial thing is to get this Stormont government up and running again." Indeed, crucial times are ahead as to whether or not there is any possibility of Stormont's resurrection.

Also, there is a deep malaise shown by local political commentators and others as to the possibility of making early, or any, progress.

For example, two regular print media commentators expressed the following views. Alex Kane, on July 29, stated: "The gulf between unionism and nationalism is wider than at any time since the early 1970s... we are heading towards a very dark, very dangerous place... I'm not convinced we can do anything to avoid that awful destination." And Alban Maginness, on August 14, stated: "The failure of politicians to develop a coherent political model that produces hope, respect and good politics cannot inspire young people." And these comments are in the context of local politics - never mind the added dimension of Brexit.

Yet, the real tragedy is that a model already exists for dealing with our political situation that is not dependent on any Brexit outcome and it is being ignored.

This model was born out of a long European history of conflict that accepted that protection of minorities within a state was essential to providing peace and stability, including where a minority shares an ethnic, cultural, linguistic, or religious, identity with a neighbouring state.

The model comes from the Council of Europe (home of the European Convention of Human Rights and the European Court of Human Rights) - an important international human rights body.

With the break-up of the Eastern Bloc and the USSR, the Council of Europe decided it had to act, hence the creation, in 1995, of the Framework Convention for the Protection of National Minorities. It is called a "framework" as it only lays down the principles to be followed, with each state implementing those principles through its own law. There is a monitoring process by the Council of Europe to assess a state's compliance with these principles. The UK Government ratified this convention on January 15, 1998 (a crucial time in the negotiations leading to the Belfast/Good Friday Agreement) and has participated in four monitoring cycles from 1999 to 2017. The fifth cycle is due to commence later this year.

The convention is part of international law. The idea behind such law is that certain fundamental rights have a higher status than ordinary laws and should not be subject to bargaining among the parties involved. The UK Government has, on rare occasions in the context of Northern Ireland, referred to international law.

The then-Defence Minister, Tobias Ellwood, stated on May 19: "You can't give an amnesty just to armed forces personnel; you'd have to share that with terrorists as well. That's international law. That's what we have to abide by." The key question for the UK Government is: when will it advocate that this convention be applied to solving our political impasse?

Among the rights in the convention is the right of a minority to maintain and develop its culture, preserve essential elements of identity, including language, and participate in public affairs. Balancing these rights, the convention makes clear that there must, in turn, be respect for the sovereignty and territorial integrity of the state and no engagement in any activity, or act, contrary to these principles. Herein lies the problem: refusal by unionism to agree to certain rights while republicanism, by word and action, refuses to respect the state.

Over the past two years, I have approached privately the leaders of unionism, two key interviewers in the broadcast media and both Irish and UK governments.

Frankly, all efforts were a waste of time. It is absolutely beyond belief that the political leadership and broadcast media (who are there to challenge politicians) never refer to this convention, in the context of overall rights and corresponding obligations, when considering ways out of our political stalemate.

To be blunt: I shouldn't have to write this article. I've held moderate views all my political career. I was the late Brian Faulkner's election agent in the 1970s, supported the short-lived power-sharing Executive of 1974 and was to the forefront in advocating support for the Belfast/Good Friday Agreement of 1998.

This last period was personally challenging, given prisoner releases, no decommissioning and my participation in the Executive including Sinn Fein. It had to be done in order to make progress towards normality.

But, today, I have an acute anger and frustration with our present political situation, especially the lack of clear positive and pragmatic arguments from unionism, combined with Sinn Fein's consistent hypocritical arguments regarding rights/respect.

Unionism would be best served if it learnt lessons from 50 years ago, when what was sought was merely equal rights with the rest of the United Kingdom. Sinn Fein should consider how the Scottish National Party (a determined separatist party like Sinn Fein) respects the principles of international law.

The answers to our political impasse are available in international law, but nobody seems interested - neither the leading politicians, nor the media.

I am very conscious of a statement of April 30 by the former President of Ireland, Mary McAleese: "Leaders should be able to push into the deep, out into a place where they know their constituents are nervous about going. Leaders need to be able to say: 'This is where we need to go and I am going there and I want you to follow me'." Sadly, this has been lacking.

The Council of Europe has provided the appropriate model and this needs to be brought to the fore in the political dialogue over the coming period. Against this model, all political parties' comments and actions should be robustly challenged by, in particular, two-way dialogue with the broadcast media, to be judged, in turn, by the public.

However, this can only occur if the dynamics of the Council of Europe's model are known. Even then, success cannot be guaranteed. But at least the arguments would be in the public arena.

In summary, to resolve our problem we need to consider international standards. We need to remove local historical arguments and give a clearer focus on what local politicians need to consider in order to solve our problem. It's that simple and it's only in this context that the Government can act impartially.

This should be supported by the media, prominently and forcefully challenging politicians regarding compliance with these standards. Then, the difficult, real politics could begin, namely wrestling with the issues that really matter to local people.

This is a real and immediate challenge. We can but live in hope.

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