

16 October 2013

Addressing Legacy Issues
(Initial Submission by Sinn Féin)

Building A Common Future

The Good Friday Agreement was 15 years ago. For the majority of people it represented an end to a war, the triumph of dialogue over violent conflict, inclusion over exclusion, equality over hierarchy. It signalled a new beginning and it was endorsed by the vast majority of the population of this island. This remains a work in progress.

It stands to this day as testimony as to what can be achieved if the political context is right and the political will is present. And it is rightly held up as an exemplary model as to what is possible in the many countries across the world where conflict prevails.

The Agreement was a product of the peace process. And, it could not have been achieved without the political will on all sides and the realisation among the combatants on all sides that there could be no victors.

Its concentration was on the future and it did not, and could not, address the past and the myriad of issues which accompany it and which must now be dealt with.

The conflict is over, but the legacy of conflict remains with us and, regrettably, will always be with us. The pain, the suffering and the tragedies from decades of conflict are, for many, as real today as they were, when they first occurred. Hardly a month goes by that we are not faced with an anniversary of a past tragedy. Each such occasion evokes painful memories.

And each such occasion reminds us that we have still to address the past in a way that complements and assists the building of the future we are all committed to and will serve our better interests.

So, the work of conflict resolution must go on, and addressing legacy issues is part of this.

Conflict Resolution Framework

Sinn Féin believes that if we locate legacy issues in the framework of conflict resolution and in the context of the broader peace process then we can address these matters in a way which will heal divisions, consolidate the peace and become guarantors of the future. Indeed there is a generational dimension to the collective project.

And while we recognise the complexity and difficulties which confront us all in dealing with this issue we are in no way daunted by it. Nor should anyone be.

We must of course recognise the reality within which we are considering these issues. We live in a divided and largely segregated society amid differing, and, in some instances,

contradictory political allegiances. There are many differing perspectives on the causes of the past conflict, what happened and who was responsible.

The role and actions of all combatant organisations must be fully considered including government, state agencies and the legal and judicial system.

And paramount in all of this must be the views of the victims and survivors. Their voices must be heard and respected, not simply the loudest voices, not simply those on any particular side or those on no side. The views of the many thousand victims and survivors who have remained silent must also be heard.

Acknowledgement. Belief. Truth

What constitutes acceptable truth recovery, acknowledgment, justice and retribution and reparation may differ greatly from one victim or survivor to another. However different their views may be, they must all be fully and equally respected.

Regrettably, the past cannot be changed, nor the suffering, hurt and violence which was part of it, undone. And none of it can be disowned by any party of the conflict.

Sinn Féin believes that truth recovery and acknowledgement are critical to dealing with the past and can become a powerful dynamic in the quest for reconciliation which is critical to building the future we all aspire to.

We believe that all parties, political parties, combatant organisations, government and their agencies, should pledge to tell and hear the truth about the past. The role of the media in shaping beliefs many interpreted as truths should be examined.

We believe an effective truth recovery mechanism underpinned in legislation should be established.

Independent International Truth Commission

We believe that:

- An independent International Truth Commission is required
- An effective truth recovery process is dependent on full cooperation by all relevant Parties
- The body charged with this onerous task;
 - o Should have a remit to inquire into the extent and patterns of past violations as well as their causes and consequences
 - o Should examine and report on institutional and collective responsibility, and
 - o Must be independent of the State, combatant groups, political parties, civil society and economic interests
- Accordingly, in the above context, the two Governments should authorise a reputable body, such as the United Nations to devise and implement all measures and processes necessary to achieve
 - o The independence of the Commission
 - o Effective independent truth recovery methods, and
 - o The public reporting of its findings, conclusions and recommendations

Note:

We have attached for your attention and information Sinn Féin's discussion document 'Truth' and our submission "Truth Recovery" to the British and Irish governments in September 2009

Defining Legacy Issues

There is no agreement on a definition of what is meant by the much used term 'Legacy Issues'. Like so much else in politics it is likely that differing views and opinions on this obtain.

For our part Sinn Féin believes that 'Legacy Issues' include:

- Acknowledgement
- Truth Recovery
- Closure, Justice, Retribution
- Reparations
- Services for Victims and Survivors
- Remembrance
- Sectarian segregation in our society
- Reconciliation

We believe that all of these issues need to be addressed and dealt with. We are committed to engaging with all other parties to collectively work our way through all the outstanding issues.