

Cross-Community Cross-Border Bill of Rights Conference

1. Introduction & Background

Five Community groups took part in a Conference in Burt, Co. Donegal to discuss the Bill of Rights and the key issue of parading in Northern Ireland. Three of the groups were part of CFNI's Bill of Rights Training and Support Programme: PLACE Initiative (Portadown), CAW 2000 (L'Derry) and Carrowshee Park & Sylvan Hill CDA (Lisnaskea). The other two groups were: Lettershandony and District Development Group (L&DDG, Derry) and the Newtowncunningham Community Development Initiative (NCDI, Co. Donegal).

PLACE and CAW 2000 are single-identity PUL areas; Lettershandony and Lisnaskea are single-identity CNR areas; Newtowncunningham is a mixed religion border county area.

All these areas have suffered to a greater or lesser degrees from community tension and conflict-related social problems.

2. Rights & Bill of Rights Issues

The Groups were mixed together during each workshop. When asked to express their needs and areas where rights might make a contribution, the following list emerged:

- I. Right to life
- II. Right to belong
- III. Right to achieve your full potential
- IV. Right to affordable housing
- V. Right to be socially included and valued
- VI. Right to freedom of speech and self-expression
- VII. Right to equality of treatment
- VIII. Right to access justice
- IX. Right to health care
- X. Right to work
- XI. Right to education
- XII. Right to personal safe space
- XIII. Right to a place in the community
- XIV. Right to equal rights
- XV. Right to have one's culture respected

- XVI. Children's rights
- XVII. Right to a fair trial
- XVIII. Right to fair working conditions
- XIX. Right to privacy
- XX. Right to fair and impartial policing
- XXI. Right to identity and use of language/naming
- XXII. Right to vote
- XXIII. Right to dignity of treatment (especially for mentally ill)
- XXIV. Right to practice religion
- XXV. Right to choose whether to exercise a right
- XXVI. Right to protest peacefully
- XXVII. Right to parade peacefully
- XXVIII. Right to freedom of information
- XXIX. Right to celebrate difference
- XXX. Right to maximum freedom of choice
- XXXI. Right to a decent standard of living
- XXXII. Right to freedom from intimidation and violence
- XXXIII. Right to more referendums on important issues
- XXXIV. Rights for the disabled
- XXXV. Rights for the elderly
- XXXVI. Right to assembly
- XXXVII. Right to celebrate cultural diversity
- XXXVIII. Right to an effective, accountable government

3. The Right to Parade & Related Issues

The Conference was organised with a generic focus on the Bill of Rights but with a special emphasis on the whether there is a right to parade and what, in effect, this might denote. Byron Bland from Stanford University's Conflict Resolution Centre facilitated part of this discussion.

The following salient points emerged:

- There is a right to culture and identity
- Parading can be an expression of the right to culture and identity
- It is doubtful whether this right would benefit from forms of direct enforcement
- Where the right to parade conflicts with the rights or perceived rights of others, it might be useful not to claim the right to parade so as to allow other forms of process towards a solution.

- Where the rights or perceived rights of others conflict with the right to parade, it might be useful not to claim those rights so as to allow other forms of process towards a solution.
- The temporary bracketing of rights might sometimes be useful where solution-oriented processes are brought into play.
- Sometimes rights are claimed just to stop the other community claiming a contesting right
- A working solution will necessarily be/be perceived as an injustice. A solution will involve each side calculating how the burden of the injustice is best mutually borne – this requires a business like approach.
- The economic cost of security for parades and for protesters is unacceptable and these financial resources might be used to better effect establishing a longer-term solution.
- The large security presence creates insecurity in the minds of the parading bands / loyal orders and the onlookers from both traditions.
- Parades involve people and as such reflect broader society and all its social virtue and vice, the same is true of residents groups. Simplistic morally dualistic assessments of either group are unhelpful.
- Parades and protests are vulnerable to becoming focal points for short-term and long-term historical grievances and their validity of purpose is then easily obscured.
- Parades should make an effort to communicate with the public by handing out carefully worded, attractive literature about the cultural and historical nature of the occasion. Those who might disapprove might lack knowledge or feel they are ignored/excluded.
- Everyone agreed that there was an onus on the loyal orders to maintain discipline both for the dignity of the parade and to minimise negative perceptions.
- Everyone agreed that consumption of alcohol and underage drinking can be a problem.
- Good marshalling is essential to having the right to parade fully accepted/recognised.
- Parades should be liberating events, community bonding events and a means of connecting to our shared history and shared future.
- A “Cultural Commission” that deals with more than just parading might have some influence.