

An Chartlann Náisiúnta
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Visit to Ireland by Archbishop Desmond Tutu
25 September to 3 October, 1998

Background Note

1. The private visit by Archbishop Tutu, who will be accompanied by his wife Leah and his Media Director, Mr. John Allen, is taking place at the invitation of Dr. Tony O'Reilly. Prior to his courtesy calls on the President, Taoiseach and Minister Andrews on Wednesday 30 September, Archbishop Tutu will have spent some days at Castlemartin, home of Dr. O'Reilly and had meetings with Independent Group Editors. He will also have delivered the 5th Independent Newspaper Lecture on the theme of **"Managed Transition & the Post-Conflict Period - a look at the Truth & Reconciliation Commission"** at Trinity College on the evening of 29 September (followed by a private dinner under the joint aegis of the RHA). Following his Dublin meetings the Archbishop will travel to Northern Ireland where he will meet Mo Mowlam in the afternoon and overnight in Hillsborough Castle. On Thursday 1 October he will meet with the Corrymeela Community at Queen's University as well as Archbishop Eames and possibly David Trimble and Seamus Mallon. After a private day on 2 October, Archbishop Tutu and his wife will depart to Manchester on the morning of Sat 3 October.

2. Archbishop Tutu has visited Ireland previously and within the last few years participated in a Famine Commemoration March in Connemara which was organised by NGO's to highlight the continued need for humanitarian assistance in today's world. His current visit follows the visit to South Africa by Minister Andrews on 5-7 June 1998 during which the Minister met President Mandela. Minister Kader Asmal visited Ireland from June 30 to July 10 1998 when he had meetings with the President, Taoiseach, Minister Noel Dempsey, Minister of State O'Donnell, the Ceann Comhairle, delivered the 1998 Oliver Tambo Memorial Lecture and was hosted to dinner by Dr. O'Reilly. President Robinson made an official visit to South Africa on 25-29 March 1996 during which she addressed a Joint Session of Parliament and visited the SA Constitutional Court, the Truth and Reconciliation Commission and development assistance projects assisted by Irish Aid. Vice-President Mbeki, who is expected to succeed Nelson Mandela as SA President next year, visited Ireland in November 1996.

3. Ireland enjoys healthy and growing economic relations with South Africa - our exports to that country amounted to £225 million in 1997 with imports of £26.9 million. Our bilateral development cooperation programme is focussed on human rights, democratisation, education, health and rural development projects with a total of £2.6 million committed to South Africa for 1998.

Reconciliation Issues

4. In bilateral terms, Archbishop Tutu's role as Chairman of the South African **Truth and Reconciliation Commission** which has just wound-up its public proceedings, provides a ready focus for discussion particularly in the context of implementing the Good Friday Agreement. There have been several exchanges between Ireland and South Africa on peace and reconciliation issues in recent years. Executive Deputy President De Klerk of South Africa addressed the *Forum for Peace and Reconciliation* at Dublin Castle in November 1995 and Northern Ireland politicians visited South Africa in May 1997 to exchange views on peace-making. Mr. N.B. Pityana, Chairman of the South Africa Human Rights Commission, delivered the 1997 Oliver

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Tambo Memorial Lecture on "Reconciliation and Transformation in a Democratic South Africa" at the behest of the Ireland South Africa Association in 1997. The former Tánaiste, Mr. John Wilson, has also made a recent visit to South Africa (during which he met Archbishop Tutu) to evaluate its experience with victims of conflict pursuant to his work in the establishment of our own Victims Commission. Overall therefore, Ireland and South Africa's common concerns in relation to matters of reconciliation can be expected to inform Archbishop Tutu's discussions.

5. **Reconciliation** is one of the themes which has broadly characterised how the ANC has approached the governing of South Africa since coming to power in the first all-race elections in 1994 (other themes include *transformation to undo the legacy of apartheid, the consolidation of democracy, economic and fiscal responsibility*). Under the new Constitution the next national elections must be held within 90 days of 30 April 1999, i.e. during May to July of that year - consequently the ANC is gearing-up for its election campaign.

6. The **Truth and Reconciliation Commission (TRC)**, approved by Parliament in 1995 to investigate gross violations of human rights in the apartheid era, began work in January 1996 under the chairmanship of Archbishop Desmond Tutu (who also ended his term as Anglican Archbishop of Cape Town that year). Ireland provided one of its Investigators, former Chief Superintendent Sean Ginty, and funding of £55,000 to the *Centre for the Study of Violence and Reconciliation* which is under the aegis of the Commission. The TRC was initially bedevilled by controversy over whether it would merely open old wounds, and came under growing scrutiny regarding the manner in which it conducted hearings and granted amnesty to persons who have confessed to crimes perpetrated during the apartheid era - some observers consider that there has been a huge bias in favour of ANC activists.

7. Applicants to the TRC for political amnesty have included Thabo Mbeki, South Africa's Deputy President, who apologised for atrocities committed during his party's struggle against apartheid. He conceded that some of his party had engaged in unnecessary brutality, but considered that the ANC resorted only to violence after white rule had blocked all other avenues of protest. F.W. de Klerk, leader of the National Party, said his party had much for which to apologise, but claimed that he had never sanctioned assassination and torture and argued that apartheid had been an honest though misguided attempt to govern South Africa. Chief Mangosuthu Buthelezi refused to take part in the hearings and Winnie Mandela denied all allegations against her in eight days of testimony. There has been ongoing controversy regarding the attempts by former President PW Botha, who has been implicated in apartheid human rights violations by the testimony of former police officials and members of the apartheid government, to avoid appearing before the TRC. In addition to claiming that the Commission is "politically prejudiced", Botha claimed to have made an agreement with its Chairman, Archbishop Tutu, in December 1996 that he could provide written testimony thereby obviating any necessity for direct personal testimony. Conversely, the Commission argued that the written replies to questions provided by Botha were evasive and inadequate. As a result of subsequent legal proceedings, Botha was sentenced on 21 August to a fine of 10,000 Rand or 12 months in prison for failing to honour a subpoena to appear before the TRC.

~Africa Section, 28.9.1998

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Visit to Ireland by Archbishop Desmond Tutu

25 September to 3 October, 1998

Steering Note

1. Although private, Archbishop Tutu's latest visit reflects the parallels that exist between the Irish peace process and the recent experience in South Africa, particularly the emphasis in both situations on the central importance of **mechanisms for reconciliation**. The visit also reflects the **warm state of bilateral relations** between Ireland and South Africa which have developed significantly in the period since the first all-race elections in S Africa in 1994.

2. As Chairman of the **South African Truth and Reconciliation Commission**, Archbishop Tutu will be in a position to evaluate the effectiveness of the Commission's work to date and its impact on the successful transition of S Africa from the apartheid era to the present- day functioning democracy. He may also be in a position to offer comment on the future internal development of South Africa in the post-Mandela period (elections will take place before mid-1999) and on South Africa's role in containing the growing regional crises in the southern African region (including in the Great Lakes region and in Lesotho where Archbishop Tutu was involved in 1993 mediation efforts).

– Africa Section, 29.9.1998

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Visit to Ireland by Archbishop Desmond Tutu
Possible Speaking Points

- While South Africa and Ireland have many points of common interest, the parallels between the Irish peace process and the successful transition in South Africa from the era of apartheid to an era of democratic stability merit particular reflection. It is of course the case that every conflict situation is unique and it would be wrong to draw too close a parallel between the two situations. Nonetheless, I think we have each learned from our respective experiences in many ways, perhaps most significantly the central importance of mechanisms for reconciliation.

- The parties to the multi-party talks in Northern Ireland were clearly interested, and in part motivated by, the negotiating experience in South Africa. For example, the rules of procedure for the negotiations drew from the South African example. The concepts of *sufficient consensus* and of a *clear and realistic deadline* were also valuable.

- There were many important contacts made in the period before the Good Friday Agreement which allowed the parties to draw directly from the South African experience. We received visits from a number of prominent South Africans involved in the negotiations or in subsequent events, including by Dr Alex Boraine of the Reconciliation Commission. In the course of your current visit we look forward to learning from your unique experience as Chairman of the Truth and Reconciliation Commission.

- Bilaterally, relations between Ireland and South Africa continue to develop - I was in a position to bring the relationship a stage further during my official visit in June.

- Both our countries now have to implement the respective peace agreements which we have achieved. For its part, South Africa faces enormous challenges in the years ahead to consolidate what has been achieved internally, both politically and economically, since the end of apartheid. We encourage you to continue this important work. We also encourage you to continue to provide effective leadership in support of political and economic stability and to counter inter-State tensions in the Southern African region.

- I look forward to continuing and deepening relations between our two countries as we seek to consolidate our respective paths to lasting peace and to engender in our people the spirit of reconciliation essential to that endeavour.

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Deputy President De Klerk at the Forum for Peace and Reconciliation. November 1995

1. When Mr De Klerk addressed the Forum for Peace and Reconciliation in 1995 he said in relation to the situation in South Africa that "six years ago South Africa was caught in the grip of a seemingly unresolvable conflict....it was difficult to imagine parties that were further apart than the National Party, the Inkatha Freedom Party and the National Afrcian Congress. All the parties saw one another not as they really were but as the stereotypes depicted by their own propaganda"

2. What enabled these parties and the other twenty three that joined them in their multi-party negotiations to bridge the enormous chasm that divided them was the common acceptance that, whether they liked one another or not, there could be no long term solution that did not involve all the major parties and population groups in their country.

3. He spoke of the common acceptance " that our problems could be solved only through negotiation- that any attempt by any party to continue to impose its will on its opponents by force would simply lead to the destruction of the country and the economy" and that this would require genuine concessions and painful compromises. Progress was made in the negotiations because of a realisation, on all sides, that the geo-political environment had changed and the that negotiations were taking place against a backdrop of the emergence of a new world order.

4. The compromise reached was an inclusive one, all parties receiving over 5% of the vote would be included in the Government of National Unity. He also noted that the period after agreement is not time for complacency: "Constitutional arrangements and delicate inter-party relationships -like human relationships- require constant care and attention if we wish to ensure that they do not unravel". Part of the solution to fears within South Africa of dominance by one group of another was to devise a new constitutional dispensation "in which all diverse communities would feel secure" and the Transitional Constitution acknowledged and protected diversity of language and culture. The then Deputy President also believed that "simple majoritarianism where significant minorities can be excluded from all processes of government should be avoided", that discrimination should be prohibited and a culture of toleration and pride in diversity encouraged, building what Bishop Tutu described as "the rainbow of people".

5. He concluded by listing what he believed were the ingredients for the successful conclusion of negotiations in South Africa: a commitment to a solution, trust, timing, inclusivity, mechanisms to deal with deadlocks and problems, the ability of the parties to bring their constituencies with them, and a win-win outcome. Finally he noted that it was for others to decide which parts of the South African

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experience are unique to there and which have universal application.

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Victims Commission

Origins

The Good Friday Agreement recognises that it is essential to acknowledge and address the suffering of victims of violence as a necessary element of reconciliation and refers to the need to provide services which are supportive and sensitive to the needs of victims.

On 21st May, 1998, the Minister for Justice, Equality and Law Reform, Mr John O'Donoghue T.D., announced that he had received Government approval to conduct a review of services and arrangements in place, in this jurisdiction, to meet the needs of those who have suffered as a result of violent action arising from the Northern Ireland Conflict. This review would also identify what further step would be taken to address the concerns of victims and their families. Former Tánaiste, John Wilson was asked to carry out this review.

The Government agreed Terms of Reference for the Victims Commission on 16th June, 1998.

The Commission moved into offices in Earlsfort Terrace at the end of June, 1998. Commission staff consist of the Commissions' Secretary and an office administrator.

Work of the Commission

While Mr Wilson hopes to be able to report back to Government by the end of this year, no target date for the completion of the review has been fixed in the Terms of Reference.

Mr Wilson believes that it is important that all victims get a chance to be heard and he does not want to see the thoroughness of the consultative process, which he believes is a key element of the review, by setting a fixed target date.

The work Mr Wilson is doing involves extensive consultations both within and without the jurisdiction.

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At the time of writing he is probably only halfway through these consultations. So far the bulk of these consultations have been with victims themselves. However there have been some consultations with agencies of central and local Government who are responsible for producing services and support to victims. There have been consultations with voluntary groups working in the field. It is intended that these will form a greater part of the later consultations. These will include groups and agencies both inside and outside the jurisdiction.

South Africa

In early consultation with Government Departments it was strongly suggested to Mr Wilson that he might learn much from the South Africa experience. A visit was arranged during the month of August because this was a holiday period here and was difficult to find groups or individuals in Ireland who were available to meet Mr Wilson during that period.

Over the week beginning 9th August Mr Wilson met mainly various N.G.O.s working on the ground with victims. He also had a meeting with Dr. Alex Boraine, Vice Chairman of the Truth and Reconciliation Commission and Dr. Wendy Orr, a member of the Reparations and Rehabilitation Committee of the T.R.C. Archbishop Tutu sat in on the first part of this meeting. Mr Wilson was very appreciative of this, given that this was a very busy time for the Archbishop as he was preparing to leave South Africa for a lengthy period.

At this meeting, Archbishop Tutu emphasised the importance of letting victims tell their own stories and in giving them a say in the structures and services being set up to meet their needs.

This echoed Mr Wilsons' pledge in his Press Statement 22nd July, 1998, in which he pledged to give victims a voice.

Mr Wilson, through his consultation in South Africa, gained many insights into the plight of victims, which have proved very useful when meeting victims here in Ireland.

During the visit Mr Wilson met socially with a former colleague of the Presidents, Minister Kader Asmal and his wife Louise who are joint authors with one Ronald Suresh Roberts of a book relating to the T.R.C. "Reconciliation Through Truth". Minister Asmal has responsibility for Water and Forestry Affairs.

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Funding of Groups involved in Reconciliation Work

Background

1. The North-South and Anglo-Irish Co-operation Subhead of the Department's Vote was set up in 1982 to assist organisations involved in reconciliation work and in an effort to create a better understanding between both parts of Ireland and between Ireland and Britain. Since then, it has funded a variety of organisations working in the field of reconciliation primarily between North and South but also in the wider Anglo-Irish context.

The Good Friday Agreement

2. The Good Friday Agreement brought about a political accommodation in Northern Ireland which, hopefully, has created a situation where the use of political violence is a thing of the past. The major paramilitary organisations, on both sides of the communal divide, have foresworn violence. As a result, the scope for successful reconciliation work will be greatly increased in this new, peaceful environment.

Text of the Agreement

3. During the negotiations, the two Governments and all the parties were very conscious of the need to foster reconciliation in the North, between North and South, and also to overcome the legacy of hostility in British-Irish Relations. Senator George Mitchell, the International Chairman, was particularly concerned to ensure that reconciliation was addressed significantly in the text of the Agreement. The Government delegation strongly supported the Chairman on this. In the event, the following important paragraph was included in the section of the Agreement dealing with Rights, Safeguards and Equality of Opportunity.

> *"The participants recognise and value the work being done by many organisations to develop reconciliation and mutual understanding between and within communities and traditions, in Northern Ireland and between North and South, and they see such work as having a vital role in consolidating peace and political agreement.* ***Accordingly, they pledge their continuing support to such organisations and will positively examine the case for enhanced financial assistance for the work of reconciliation.***"

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4. The Department of Foreign Affairs is seeking a substantial increase in funding for reconciliation organisations for each of the next three financial years. This would allow for an expanded North/South reconciliation programme, as well as enhanced support for projects with an East/West dimension. It would also be desirable that funding should be available to give effect to the new wording in Article 2 of the Constitution which states that "the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage".

Anglo Irish Division
22 September 1998

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South Africa and Northern Ireland - Conduct of Negotiations

Background Note

1. Parallels were often drawn between the situations in Northern Ireland and South Africa. Their validity was denied with equal frequency. Irrespective of the degree of substantive congruence, however, considerable interest was shown by the parties to the Multi Party Talks in the mechanics of the South African negotiating process.

2. Several high-profile South Africans with a role either in the negotiations themselves or in subsequent developments visited Ireland in recent years. We were fortunate to have an opportunity to hear the views of a number of distinguished South African visitors on how their country's remarkable transformation was achieved. We greatly appreciated visits from such eminent South Africans as Cyril Ramaphosa and Roelf Meyer, Judge Albie Sachs, (Constitutional Court), Minister Kader Asmal and Dr Alex Boraine (Truth and Reconciliation Commission). Moreover, former President De Klerk addressed the Forum for Peace and Reconciliation in November 1995.

3. Significantly each of these individuals were at pains to emphasise that each conflict situation is unique, and that drawing exact parallels is simplistic, though there were undoubted elements of similarity. As Cyril Ramaphosa said, "While you might learn some lessons from the experiences of others, ultimately you will have to find for yourselves the processes and solutions that suit your own situation."

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4. The rules of procedure of the multi-party negotiations drew from the South African example the concept of "sufficient consensus", although it was somewhat more tightly defined, the adoption of a clear and realistic agreed timeframe was also valuable - as it proved to be in South Africa - . The parties were also be able to draw useful lessons from South African views on matters such as internal consultation and the composition of delegations.

5. However, what came through very clearly from accounts of the South African negotiations was the absolutely central importance of less tangible factors such as courage, leadership and trust. Of the many thought-provoking things Roelf Meyer and Cyril Ramaphosa said during their visit to Ireland, two perhaps stand out ; "it was trust that finally delivered a settlement", and "the one thing that always bound us together was the belief that there is always a solution to any problem." Ultimately no solution is achievable without the building of trust and without a determination to succeed.

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