

(28 August 1992)

FUNDAMENTAL ASPECTS, COMMON INTERESTS AND THEMES, OTHER
REQUIREMENTS

Paper by Her Majesty's Government

Strand 2 focusses on relationships within the island of Ireland. In considering the next steps in Strand 2, the British Government has found it useful, in conjunction with looking at fundamental aspects of the problem, also to begin to identify possible common interests and themes, other requirements and principles which might similarly have a bearing on the future work of Strand 2.

2. This paper therefore covers the agenda items on:
- fundamental aspects of the problem
 - common interests and themes
 - other requirements to address the problem.

It also makes initial proposals for possible principles which might underpin new arrangements for relationships within the island of Ireland.

3. The British Government would be happy to consider these subjects together with a view to participants' identifying common ground. But if others wished to consider the agenda items separately, the structure of this paper would equally fit a sequential approach.

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Fundamental aspects: underlying realities; identity; allegiance; constitutional

4. As background to its contribution to discussion under this heading, Her Majesty's Government would like to draw attention to the paper it circulated during Strand 1 of the present Talks, on 1 May 1992. (This paper was not an agreed or "banked" document and has not previously been shown to the Irish Government.) It aimed to identify various key political realities which the British Government suggested should be taken into account in the search for a comprehensive political accommodation in relation to Northern Ireland. Those realities are repeated verbatim at Annex A, not as a definitive treatment of the issues with which they deal, but as an aid to future discussion.

5. On the particular questions of identities and allegiance, HMG draws attention to the conclusions of the Strand 1 Sub-Committee established on 7 May to discuss the question of identities. It agreed that "... each individual and community had the absolute right to define their own identity; and that that right and identity should be respected."

6. The Strand 1 participants also acknowledged, as recorded in the (1 June) report of the sub-Committee established on 26 May that, "... in order to secure a generally acceptable outcome from the Talks process it will be necessary to ensure that the outcome, taken as a whole, gives expression to the identities of both main parts of the Northern Ireland community and would attract the widest possible degree of allegiance and support ...". This was reiterated in the Strand 1 sub-Committee report of 10 June.

7. On constitutional matters, a considered statement of the British Government's position has been made in the Secretary of State's opening statement to Strand 2 on 6 July (extract at Annex B for convenience).

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Common interests, themes and other requirements

8. The British Government recognises that there are, at least, two main identities among the people of the island of Ireland. Both are represented in Northern Ireland. A fundamental requirement for the success of the talks will be an outcome that receives the widest possible degree of allegiance and support from both main traditions.

9. An outcome to these talks would attract a wider degree of allegiance and support among the unionist community if it were to include agreement among all the participants that Northern Ireland is part of the United Kingdom, as well as agreement on the circumstances in which that status would change. This issue has already been discussed in Strand 2, but is also relevant to arrangements for any new international agreement between the two Governments, and will be one of the matters which the British Government will wish to pursue in Strand 3.

10. An outcome to these talks would attract a wider degree of allegiance and support among the nationalist community on the island of Ireland if, taken as a whole, it were to include provision for appropriate, fair and significant expression for the Irish identity of the nationalist community. Some consideration has already been given to this. In Strand 1, participants agreed that any new political institutions in Northern Ireland should, among other principles, be:

"... such as to provide all constitutional political parties with the opportunity to achieve a role at each level of responsibility, and to have a position proportional to their electoral strength in broad terms..."

The Sub-Committee report of 10 June sought to establish common ground on how to give effect to this principle. Participants also

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undertook, in the report of the Sub-Committee established on 11 May, that:

"... they would have proposals to make in relation to Strand 2 of the Talks which would further acknowledge and accommodate the identity of the main minority tradition in Northern Ireland."

The British Government took note of, and welcomes, these intentions. Strand 3 is also to consider the requirements to acknowledge and recognise the two main traditions, as part of consideration of arrangements between the two Governments.

11. Talks participants may wish to consider as a general theme how far there is scope for closer co-operation in the interests of both parts of the island of Ireland.

12. For example:

- Are there areas where closer co-operation, co-ordination or harmonisation might add to the strengths of both economies? Possibilities might include greater co-operation in joint promotion of trading links and tourism with the island of Ireland as a whole; co-operation in the development of cross-border trade, transport and energy links; and sharing specialised expertise such as research or costly health treatments.

- Are there areas where closer co-ordination or joint presentation might secure more support from the European Community for both parts of the island of Ireland? The INTERREG programme already shows the benefits of this. There may be scope for other possible joint programmes under the EC in areas such as transport infrastructure,

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business development, environment, tourism and research and development.

- Are there areas in which Northern Ireland might gain by aligning its policies more closely with those of the Republic? An example might be trading policy.

13. These subjects, which could be explored further in the light of consideration of institutional arrangements, are purely illustrative and are not intended to be exhaustive. In considering some of these areas, the British Government would have to have regard to the interests of the United Kingdom as a whole, and to the fact that the UK represents the interests of Northern Ireland in the European Community and internationally.

14. The British Government stands ready to facilitate discussion in Strand 2 by tabling further papers setting out

- illustrative models for possible institutional arrangements. (The British Government attaches importance to establishing an institutional base, secured by legislation, for such arrangements.)

- a fuller account of the scope for enhanced social and economic co-operation within the island of Ireland.

Possible principles

15. In the light of their consideration of fundamental aspects, common interests and themes and other requirements, participants in Strand 2 may wish to consider whether it is possible to identify and agree principles which should underpin new arrangements for relationships within the island of Ireland.

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16. Should such arrangements, for example, be:

- such as to give expression and validity to each main tradition?
- conducive to greater co-operation and the promotion of shared interests between Northern Ireland and the Republic of Ireland?
- conducive to greater knowledge and understanding, and to increased contacts, between the peoples of Northern Ireland and the Republic of Ireland?
- geared to the development of an "agreed Ireland", in the sense that whatever governmental arrangements apply are widely acceptable and aimed at protecting and forwarding the interests of the people of the island of Ireland?
- legitimate in the sense of being based on democratic principles, accountable and able to reflect the wishes of the electorate?
- widely acceptable in both parts of the island of Ireland?
- stable and durable?
- capable of development, in response to changing political realities, with the agreement of all concerned?
- workable, in the sense of being as straightforward to operate as possible?
- such as to avoid any entrenchment of the main community division and to encourage the development of an "agreed Ireland" in which both main traditions would be respected?

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- able to function effectively and efficiently as a forum in which views and proposals may be exchanged and, where appropriate, co-operative action decided upon?
- innovative, in the sense of learning from and not merely modelled on any previous arrangements?
- conducive to the ending of terrorism and the enhancement of security co-operation?
- conducive to optimising the benefits from the EC framework, and its programmes, for the two parts of the island of Ireland, consistent with the role and responsibilities of the UK and the Republic of Ireland as separate member states?
- capable of securing public endorsement?

17. The principles noted above are not exhaustive. It should not be assumed that the British Government would necessarily wish to argue for all of the principles in the form set out above. This list is simply intended to provide a basis for discussion between Strand 2 participants of principles which might underpin and inform further work in Strand 2.

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ANNEX A

POLITICAL TALKS: REALITIES

(1 May 1992)

Extract from paper by Her Majesty's Government

- (a) Whatever the historical rights and wrongs, Northern Ireland is a part of the United Kingdom. HMG exercises full sovereign authority in Northern Ireland and acknowledges a responsibility to all the people there to provide security, stability and good government. There is also a set of geographical, historical and political realities which give the Government of the Republic of Ireland an interest in relevant Northern Ireland matters.
- (b) Northern Ireland has a deeply divided community, characterised by traditions and identities which reach out beyond Northern Ireland itself. It has suffered from an absence of agreement on political arrangements which would allow representatives from both main parts of the community to play a full and effective part in the political life of the Province.
- (c) The larger part of the community in Northern Ireland retains a strong sense of loyalty to the Crown and believes that its culture and ethos can be preserved only if Northern Ireland remains a part of the United Kingdom. The minority community in general identifies itself in cultural terms with the people of the Republic of Ireland: politically, many in that community aspire to the achievement of a sovereign territorially-united Ireland.
- (d) Terrorism in support of and in opposition to a change in the constitutional status of Northern Ireland has done much

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damage, although it has been steadfastly resisted by the vast majority of the people of Northern Ireland. It has also made necessary the substantial commitment of UK Armed Forces in support of the RUC. All the participants in the Talks are united in their absolute condemnation and rejection of terrorism and commitment to the democratic process.

- (e) The exercise by the police and Armed Forces of the emergency powers which are necessary to enable them to tackle terrorism effectively is often felt by the minority community to bear particularly heavily on them, further increasing their sense of alienation from the institutions of the state and providing a source of propaganda for extremist Republican groups. But the security forces need to command the confidence and support of the whole community in their efforts to defeat terrorism from whatever quarter.

- (f) Many sources of inequality between the two parts of the community have been removed. And intensive efforts have been and are being made to tackle the problem of discrimination and to target the areas of greatest social need. But there remain substantial social and economic inequalities. This further exacerbates inter-communal divisions, reduces the extent to which certain parts of the minority tradition are likely to identify with the institutions of the state, and may contribute to the readiness on the part of a small minority to resort to terrorism.

- (g) The lack of functioning political institutions at provincial level, and the fact that few significant powers are exercised at district council level, mean that there is much less democratic accountability for the government of

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Northern Ireland below the level of Parliament at Westminster than is desirable. This constrains the extent to which government can be responsive to local needs, reduces the opportunity for constructive political exchanges between representatives of the two parts of the community, and deprives political talent of the outlets it needs.

- (h) Northern Ireland has long been treated as a distinct administrative unit. Most services below the level of core central government functions are delivered on a province-wide basis, with executive responsibilities often devolved to sub-regional Boards or other agencies. This has enabled the Northern Ireland Departments to develop distinct policies appropriate to the particular needs of Northern Ireland and has led to the creation of a particular administrative and legislative framework.
- (i) There is a unique relationship between the peoples of the United Kingdom and the Republic of Ireland. The two Governments are firmly committed to the positive development of that relationship and to continuing close contact, consultation and co-operation on matters of mutual concern, such as cross-border security and economic co-operation.
- (j) The significance of the European Community (EC) in relation to Northern Ireland, the rest of the UK and the Republic of Ireland is generally acknowledged, although views differ on the implications. There is a case that the development of a "European" identity may help in the resolution of tensions between the two main political traditions on the island of Ireland, and within Northern Ireland. One practical point is that since the 1970s there has been a substantial increase in the coverage of EC Directives,

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particularly in respect of "transferred" matters, notably agriculture.

- (k) The economy of Northern Ireland has held up comparatively well during the recession but continues to suffer from the direct and indirect effects of terrorism, which is a factor potential investors in Northern Ireland may take into account. Public expenditure in Northern Ireland, determined on a basis which reflects the needs of the people of Northern Ireland, requires a substantial subvention from the UK Consolidated Fund, of some £2 billion in 1991/92.

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ANNEX B

6 July 1992

STRAND 2: EXTRACT FROM OPENING STATEMENT BY SECRETARY OF STATE

Both the Strand 2 agenda and the possible agenda for Strand 3 provide for discussion of constitutional issues. The contributions by the UK Government team to the meetings in London on 19 June, at which Irish Officials were present and on 30 June when Mr David Andrews, TD the Irish Minister for Foreign Affairs was co-chairman with myself, both made reference to these issues.

We are concerned in Strand 2 with relationships within the island of Ireland. It is inescapable that constitutional issues have implications for these relationships - as they do for other topics which fall to be addressed in the Talks as a whole.

None of us can be in any doubt as to the strength and depth of the different views which are held on constitutional issues. Among other views represented around this table are those who are content with the present reality that Northern Ireland is part of the United Kingdom and those who have an aspiration to see a United Ireland. As my predecessor put it in a speech on 9th November 1990: "it is possible to take either position with integrity. It is acceptable to uphold the one or advocate the other by all legitimate peaceful and democratic means. What is not acceptable, and what totally lacks integrity, is the promotion of either view by the crude and brutal methods of violence and coercion."

If, despite these different viewpoints and aspirations, we could all reach clear agreement on the present constitutional realities

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and the circumstances in which they might change then the talks process is more likely to achieve a successful outcome commanding widespread support.

Her Majesty's Government believes that such agreement, taking account of the different viewpoints, is not in principle unattainable, however difficult it may be to achieve in practice. My predecessor's statement of 26 March 1991 made clear that it would be open to each of the participants in the Talks to raise any aspects of the relevant relationships including constitutional issues. The British Government, for its part, will seek as a product of the Talks process as a whole an unambiguously expressed consensus on the constitutional issues and a framework for relationships which will be genuinely acceptable to all.

We believe that such an outcome should thereby enable all participants to acknowledge Northern Ireland's present status as a part of the UK, and to recognise that there will be no change in that status without the consent of a majority of the people who live there, that the present wish of a majority of the people of Northern Ireland is for no change but that if, in the future, a majority of the people of Northern Ireland clearly wish for and formally consent to the establishment of a united Ireland, both Governments will introduce and support legislation to give effect to that wish.

Insofar as this is considered to have implications for Articles 2 and 3 of the Irish Constitution I have already welcomed the Taoiseach's public assurance that they are among the constitutional matters which the Irish Government envisages would be "on the conference table" during the Talks.

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