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Ulster Unionist Party (UUP)

STRANDS 2 & 3

SUBMISSION ON CONSTITUTIONAL ISSUES

17 October 1997

The British Isles are divided into two sovereign states, the United Kingdom of Great Britain and Northern Ireland, on the one hand, and the Republic of Ireland, on the other. In international law there are and ought to be no constitutional issues between these two states.

In so far as it does not already do so, the law and practice of each state should conform with the above statement.

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17/10/97 Strand Two: Constitutional Issues

Northern Ireland is and will remain an integral part of the United Kingdom as long as the settled will of the people of Northern Ireland deem it to be.

The credibility of future "Island Relationships" would be greatly enhanced with the abandonment by the Irish Government of its territorial claim upon Northern Ireland.

Ulster Democratic Party

17 October 1997

Strand 2 : Constitutional Issues

Issues of a constitutional nature are essentially a matter for the people of the Irish Republic and their elected representatives.

Articles two and three, however, by laying claim to the territory of and jurisdiction over Northern Ireland are in contravention of the principles guiding relations between states. The principles for friendly relations and co-operation as laid down in the United Nations Charter and accepted by the Republic of Ireland as a member state, enshrine the principles of sovereignty and territorial integrity. Both territorial integrity and sovereignty are inviolable and each state has the duty to comply fully and in good faith. The Irish Republic's claim cannot be regarded as good faith.

European law further requires states to refrain from any action inconsistent with the purposes and principles of territorial integrity, political independence or the unity of any participating state. Articles two and three are clearly such an inconsistent action. The territorial integrity and unity of the United Kingdom is inviolable and any claim on its territory must be removed.

Co-operation between Northern Ireland and the Irish Republic, and improvement thereof, is the aim of this strand. Co-operation, however, can only work properly on a voluntary basis and in an environment of trust and confidence. The people of Northern Ireland cannot have this trust and confidence until the constitutional status of Northern Ireland as part of the United Kingdom has been recognised. Therefore, it is clear that articles two and three must be removed in order to make co-operation feasible.