

POLITICAL TALKS: REALITIES AND COMMON THEMES

(Paper by Her Majesty's Government)

Introduction

1. This paper sets out the various political realities which HMG believes should be taken into account in the search for a comprehensive political accommodation in relation to Northern Ireland and seeks to identify the common ground which has emerged from the talks process thus far.
2. Its immediate purpose is to provide - along with similar papers submitted by the four main constitutional political parties in Northern Ireland - a basis for identifying:
 - a. the general principles which should inform subsequent discussions in at least strand one of the Talks;
 - b. the specific issues on which further discussion should now begin to concentrate.
3. Where relevant this paper takes account of views expressed by the parties, either in their initial presentations or in subsequent exchanges, but it does not seek to preempt the parties' positions: it reflects the Government's view of the position which has now been reached.

Fundamental Political Realities

4. Whatever the historical rights and wrongs, Northern Ireland is a part of the United Kingdom. The Government exercises full sovereign authority there and acknowledges a responsibility to all the people of Northern Ireland 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 a legitimate interest in the affairs of Northern Ireland.

5. Northern Ireland has a deeply divided community and has suffered from the inability to reach 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.

6. 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, a claim to which is embodied in Articles 2 and 3 of the Irish Constitution. On the other hand 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 only be preserved if Northern Ireland remains a part of the United Kingdom.

7. Terrorism in support of and in opposition to a change in a constitutional status of Northern Ireland has blighted the political life of Northern Ireland, exacerbating and deepening the inter-communal divisions. 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 condemnation and rejection of terrorism and their commitment to the democratic process.

8. The main threat to life and property in Northern Ireland is posed by Republican terrorist groups. The exercise by the police and Armed Forces of the emergency powers which are necessary to enable them to tackle terrorism effectively are 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.

9. Although 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, there remain substantial social and economic inequalities between the two communities. This further

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exacerbates the inter-communal divisions, reduces the extent to which certain parts of the minority community are likely to identify with the institutions of the state and may contribute to the tendency on the part of a small minority to resort to terrorism.

10. The lack of functioning political institutions at regional level and the fact that few significant powers are exercised at District Council level mean that there is less democratic accountability for the government of Northern Ireland below the level of Parliament at Westminster than is desirable. This reduces 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 may tend to create the sense that constitutional political activity cannot offer a way forward.

11. 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, especially matters pertaining to Northern Ireland. This relationship secures many benefits for Northern Ireland in a wide range of areas.

12. Since the 1970s there has been a substantial increase in the coverage of Community Directives, particularly in respect of "transferred" matters, notably agriculture.

13. The economy of Northern Ireland has borne up comparatively well in recent months 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 very substantial subvention from the UK Consolidated Fund, of some £2 billion in 1991/92; it seems likely that public expenditure in Northern Ireland will continue to require this level of support for the foreseeable future.

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14. Northern Ireland has long been treated as a distinct administrative unit and most services below the level of core central government functions are delivered at regional level, 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.

Common Themes

15. The following paragraphs seek to identify the common ground which has been reached in discussion between the parties and which the Government would share. (In an effort to be helpful the paragraphs are cross-referenced to the delegations' opening presentations. The cross-references are not meant to imply a particular delegation's endorsement of the proposition in question but are merely designed to guide the reader towards passages which appear to be relevant. The cross-references refer to the numbered paragraphs in presentations as they were retyped and circulated with the aide memoires).

(a) Constitutional Status and Guarantee

16. There seems general support for the proposition that Northern Ireland is a part of the United Kingdom; that there should be no change in that position without the consent of a majority of the people who live here; and that at present a majority of the people who live here do not wish for any change.

[Alliance Principle 1; SDLP para 20; DUP para 34; UUP paras 10-16.]

17. More discussion will no doubt take place on the way in which the so-called 'constitutional guarantee' is couched and on how it should incorporate the possibility of better relations between the two parts of Ireland.

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(b) Nature of N.I. Community

18. There seems general support for the view that there are [at least] two distinct communal identities in Northern Ireland, both of which need to be given full recognition by the other so that they can be appropriately accommodated in the political system here, taking account of the wider framework of relationships within these islands.

[Alliance Principles 1 and 2; SDLP para 15; DUP paras 46, 47; UUP para 36]

19. There appears to be a consensus that a shared European identity may assist in developing an understanding between the different communal identities.

(c) Local Institutions

20. It is agreed that there is a need for greater direct local political involvement in the business of governing Northern Ireland. This is a large and complex subject which will need to be addressed on several levels and in considerable detail.

[Alliance Principles 1 and 2; SDLP para 15; DUP paras 46, 47; UUP para 36]

21. There is general support for the transfer to local representatives of legislative as well as executive responsibilities.

[Alliance Principle 1; DUP para 47]

22. It is generally agreed that simple unfettered majority rule would not be a sufficient basis for any new local institutions. In the Government's view any new local political institutions should be workable and likely to prove stable and durable; they should command widespread support and provide an appropriate and fair role for representatives of both sides of the community.

[Alliance Principles 1 and 2; SDLP paras 18 and 19; DUP paras 21 and 51-53; UUP para 36]

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(d). External relationships

23. It is accepted that there are relationships external to Northern Ireland which have an important bearing on the political situation in Northern Ireland, the most relevant of which are the relationships with the rest of the United Kingdom, with the rest of the island of Ireland and with the rest of the EC.

[Alliance Principle 4; SDLP paras 16-19 and 33 to 39; DUP paras 34, 38, 40, 77; UUP para 16,26]

24. It is acknowledged that for so long as NI remains a part of the UK the relationship between NI and the UK Government and Parliament will continue to be of central importance. Not only because of the UK Government's responsibility to the community to provide adequate financial resources and the military resources necessary to defeat terrorism but also because of the responsibility of Government and Parliament for matters which are not transferred to any local institutions. The relationship between the UK Government and Parliament and any new institutions will need to be carefully delineated to ensure that the proper interests of the UK Government, in relation, for example, to financial matters, and its obligations under various international instruments are taken fully into account. For its part the Government is prepared to be as flexible as possible in relation to such matters.

[Alliance Principle 4; SDLP paras 16-19; DUP paras 74-76; UUP paras 20-32]

25. There seems general support for the proposition that there should ideally be good and harmonious relations between the two parts of Ireland and that practical co-operation in their mutual interest should be encouraged. The more difficult question is the extent to which a formal, perhaps institutionalised, relationship between the two parts of Ireland might help to resolve political tensions and difficulties within the Northern Ireland community.

[Alliance Principle 4; SDLP 8-10; DUP paras 21, 40; UUP para 7]

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26. There will clearly be much debate at a later stage on the issues raised by Articles 2 and 3 of the Irish Constitution. It was accepted as a political reality that the Irish Government and people would only be likely to give positive consideration to the amendment of Articles 2 and 3 in the context of movement towards a general settlement of the three sets of relationships.

[Alliance Principle 4; DUP paras 40-42; UUP paras 6-9]

27. The nature of the future relationship between Northern Ireland and EC institutions clearly needs further consideration.

[Alliance Principle 4; SDLP 33-39; DUP para 77]

(e) The Three Relationships

28. It is accepted that a political accommodation which entailed new and agreed definitions of the relationships with the rest of the UK and with the rest of the island of Ireland would be more stable and satisfactory.

[Alliance Principle 4; SDLP 16-19; DUP para 40]

29. There was also agreement that if in that context it were possible to refine the way in which the relationship between the British and Irish Governments was expressed, so that this was acceptable to all parts of the community in Northern Ireland (as well as to the people of GB and the Republic of Ireland), that would be a desirable objective.

[Alliance Principle 4; SDLP paras 25-32; DUP para 40; UUP para 4]

30. The analysis reflected in the 26 March statement that the external and internal relationships are interlinked and that real progress will only be possible through finding ways of giving adequate expression to the totality of the three main relationships has been confirmed.

[Alliance Principle 4; SDLP paras 16-19]

31. There appears to be an understanding that developments in respect of one of those relationships which tended to accommodate the identity of the minority community more fully and effectively within the context of Northern Ireland would correspondingly reduce the requirement to seek to protect and accommodate the interests of that minority through intergovernmental mechanisms.

(f) Constitutional Politics/Defeating Terrorism

32. As noted at an earlier stage all the participants in the Talks are at least united in their opposition to the use of violence and their determination to resolve problems through constitutional means.

33. There is general acceptance that no political accommodation could influence a highly committed individual to abandon terrorism, but there was general assent to the proposition that a prosperous, stable community with vibrant and effective local political institutions might undermine the motivation of at least some terrorists and would indeed make it harder for terrorists to obtain the practical and moral support they require. There was also general support for the argument that determined and effective security force action will be a central component in bringing terrorism to an end.

34. It was agreed that law and order could more effectively be maintained in Northern Ireland if there were a greater basic political consensus leading to wider public support for and confidence in the security forces.

[Alliance principle 3; SDLP paras 40-45]

35. There was general agreement that any local political institutions should be able to exercise significant influence over - or make a substantial input to - the formulation of security policy.

[Alliance principle 3; DUP 82-84]

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(g) Individual Rights

36. There was general support for the establishment of machinery to deal with and correct minority grievances and to entrench individual and community rights. This clearly requires further detailed consideration.

[Alliance principle 2; DUP para 72 and 77; UUP para 29]

(h) Endorsement

37. It is agreed that any political accommodation within Northern Ireland or new institutional arrangements should be subject to endorsement by the people of Northern Ireland, and that when being asked to take a view on these issues the Northern Ireland electorate should be made aware of any proposals regarding the other relevant relationships.

[DUP paragraph 79]

38. There was also conditional agreement that any package of propositions which might emerge from the Talks as a whole would gain greater political legitimacy if the relevant aspects were endorsed (perhaps simultaneously) by all those likely to be most affected, including the people of the Republic. It was noted that this would require further consideration.

(i) Commitment

39. All involved acknowledge the need for realism, commitment, hard work and compromise if suitable institutions, within a wider framework of stable relationships, are to be established.