

FORUM FOR PEACE  
AND RECONCILIATION



FORUM FOR PEACE  
AGENCIANYHUMANITARIAN

FAX COVER SHEET

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# Sinn Féin

Recd Secretariat  
16 Nov 95  
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Amendments (14 November, 1995) to

## Principles and Requirements

F13 DC/Rev 1

*[Amended paragraphs are boxed in 14pt type. Specific amendments/deletions are in bold 14pt type. Paragraphs not amended which refer to other parts of the whole draft are acceptable in so far as they refer to the amended document]*



## Confidential

Having identified and considered these Realities, the Forum proposes the following Principles and Requirements as necessary elements of a political accommodation and settlement - and the process of achieving them - acceptable to all the people of Ireland, North and South.

1. The first principle must be the right to peace. Flowing from this right is the principle that the pursuit of all political goals, including the establishment of an overall political settlement, must be undertaken by exclusively democratic and peaceful means, characterised by dialogue and without resort to violence or coercion.
1. The first principle must be the right to peace, **based on justice and equality**. Flowing from this right is the principle that the pursuit of all political goals, including the establishment of an overall political settlement, must be undertaken by exclusively democratic and peaceful means, characterised by dialogue. [...delete...]
2. An essential requirement of an approach based on dialogue and non-coercion will be the building of a true process of trust and reconciliation. Such an approach must take particular account of, and be sensitive to, the position of those who have suffered directly from violence and injustice - from whatever source.
2. An essential requirement of an approach **exclusively based on dialogue and negotiation** will be the building of a true process of trust and reconciliation. Such an approach must take particular account of, and be sensitive to, the position of those who have suffered directly from violence and injustice - from whatever source.
3. A new beginning, if it is to lead to a comprehensive, lasting resolution of the conflict, must adequately address the totality of the three central relationships involved - within Northern Ireland, within the island of Ireland and between the peoples of these islands.
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4. It will be essential that the commitment of the Irish and British Governments to a common approach, as identified in paragraph (d) in "Present Realities" above, is met and that they work in close partnership and collaboration. In addition to their shared functions, each Government will have important separate roles in the process also, some of which were set out in the Joint Declaration and the two Framework Documents. Above all, both Governments must actively and fully honour their commitment to foster agreement and reconciliation, leading to a new political accommodation founded on consent and encompassing all the relationships involved.

5. The achievement of such a new accommodation will require the establishment of an inclusive talks process - carefully and sensitively prepared - involving the political parties as well as the two Governments. Addressing all the relationships involved, the task of the process will be to secure agreement on the nature and form of future constitutional, political and institutional arrangements and structures. The outcome of this process should be ratified by the people of Ireland, North and South.

5. The achievement of such a new accommodation will require the establishment of an inclusive talks process - carefully, ~~and sensitively~~ sensitively and speedily prepared - involving the political parties as well as the two Governments. Addressing all the relationships involved, the task of the process will be to secure agreement on the nature and form of future constitutional, political and institutional arrangements and structures. The agreed outcome of this process should be ratified by the people of Ireland ~~and Northern Ireland~~.

6. The objective of the talks process must be a new political dispensation, representing an honourable accommodation between the two major traditions with which both can live and which is based on consent and on equal respect for the concerns, rights and identities of each. There must be a rejection of any concept of victory or defeat.

6. The objective of the talks process must be a new political dispensation, representing an honourable democratic accommodation between the two major traditions with which both can live and which is based on consent and on equal respect for the concerns, rights and identities of each. There must be a rejection of any concept of victory or defeat.



7. Agreement on an overall settlement will require, inter alia, a balanced accommodation of the differing views of the two main traditions on the constitutional issues in relation to the special position of Northern Ireland. Such an accommodation will require changes, on a balanced and even-handed basis founded on consent, in British constitutional legislation and in the Irish Constitution, which take full account of the conflict of identity and allegiances at the heart of the problem. In specific terms, the two Governments must discharge the commitments they have undertaken respectively in this regard in paragraphs 20 and 21 of "A New Framework for Agreement". In particular, they must ensure that, in regard to the people of Northern Ireland, the constitutional changes proposed should be such as not to diminish in any way their existing citizenship rights and their birthright to be accepted as being British or being part of the Irish nation - or both - as appropriate and desired.

7. Agreement on an overall settlement will require, inter alia, a balanced accommodation of the differing views of the two main traditions. [...delete...]. Such an accommodation will require major legislative and constitutional changes, on a balanced and even-handed basis founded on consent, [...delete...] which take full account of the conflict of identity and allegiances. [...delete...] The two Governments must [...delete...] ensure that, in regard to the people of the North of Ireland, the constitutional changes proposed should be such as not to diminish in any way their [...delete...]. citizenship rights and their birthright to be accepted as having a British or Irish identity - or both - as appropriate and desired.

8. In determining the nature and extent of constitutional change, the issues of self-determination and consent will be crucial. The Forum believes that in this respect the following principles and requirements should apply:

- It is for the people of Ireland alone, North and South, to determine their own future by agreement and consent. While there is disagreement on how the principle of self-determination is to be exercised, a substantial consensus has developed, as indicated in paragraph (i) in "Present Realities" above, around the approach reflected in the agreed position of the British and Irish Governments, viz. the British Government recognise that it is for the people of Ireland alone, by agreement between the two parts respectively and without external impediment, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland, if that is their wish; the Irish Government accept that the democratic right of self-determination by the people of Ireland as a whole must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland.
- Full account must be taken of the realities (a) that Northern Ireland's current constitutional status reflects and relies upon the present wish of a majority of its people and (b) that nationalists' support for the above approach to the principle of consent does not imply that the existing status of Northern Ireland commands their consent.
- Securing agreement on how the right of self-determination is to be exercised in a way which can earn and enjoy the allegiance of the different traditions on the island will be a core task of the comprehensive talks process described in paragraph 5 above. The agreed outcome of this process of comprehensive negotiations and democratic ratification North and South will represent the full and legitimate exercise by the people of Ireland as a whole of their right to self-determination.



8 In determining the nature and extent of political and constitutional change, the issues of self-determination and consent will be crucial. The Forum believes that in this respect the following principles and requirements should apply:

It is for the people of Ireland alone [...] to determine their own future by agreement and consent. The Irish people as a whole have a right to national self-determination. This is a view shared by a majority of the people of this island, though not by all its people. The exercise of self-determination is a matter for agreement between the people of Ireland. [...] There is disagreement even among the parties at the Forum on how the principles of self-determination and consent are to be exercised [Note: from paragraph (j)] Given their central role in the process overall, the approach reflected in the agreed position of the two governments on this matter is of crucial importance. They have stated the following: *"The British Government recognise that it is for the people of Ireland alone, by agreement between the two parts respectively and without external impediment, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland, if that is their wish, the Irish Government accept that the democratic right of self-determination by the people of Ireland as a whole must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland."* (A New Framework for Agreement, paragraph 16)

Full account must be taken of the realities (a) that Northern Ireland's current [...] status reflects [...] the present wish of a majority there [...] (b) That, even where it exists, nationalists' support for the above approach [...] does not imply that the existing status of Northern Ireland commands their consent.

Securing agreement on how the right of self-determination is to be exercised in a way which can earn and enjoy the allegiance of the different traditions on the island will be a core task of the comprehensive talks process described in paragraph 5 above. The agreed outcome of this process of comprehensive negotiations and democratic ratification [...] will represent a [...]



legitimate exercise by the people of Ireland as a whole of their right to self-determination.

- 9 Agreed arrangements based on a new and balanced constitutional accommodation must reflect the reality of diverse aspirations, reconcile as fully as possible the rights of both major traditions, and promote co-operation between them. They must even-handedly afford both traditions parity of esteem and equality of treatment in all spheres. They must enhance and facilitate the development of a truly pluralist ethos both North and South. While the central requirement of a lasting settlement is the forging of an accommodation between the two major traditions, the construction of new arrangements and structures must, against the foregoing background, take due account also of the position of the minority of people, particularly in Northern Ireland, who define their identity in terms which are not reflected by either of those traditions.

- 9 Agreed arrangements based on a new and balanced constitutional accommodation must reflect the reality of diverse aspirations, reconcile as fully as possible the rights of both major traditions, and promote co-operation between them **and accept the concept of continuing political change.** They must even-handedly afford both traditions parity of esteem and equality of treatment in all spheres. They must enhance and facilitate the development of a truly pluralist ethos **on the island of Ireland.** While the central requirement of a lasting settlement **is the forging without external impediment** of an accommodation between the two major traditions, the construction of new arrangements and structures must, against the foregoing background, take due account also of the position of the minority of people, particularly in Northern Ireland, who define their identity in terms which are not reflected by either of those traditions.



10. The consent of the governed is essential to the stability and legitimacy of any political arrangements. Institutions and structures forming part of new political arrangements must be accepted by both major traditions as essential elements of an overall settlement which is honourable and balanced, and must therefore enjoy widespread public support from within both traditions. In this context, and in the context of the totality of relations, it is widely accepted that there can be no internal Northern Ireland settlement. The precise structuring of relationships within Northern Ireland and their institutional expression will be a matter for the all-inclusive talks process. Equally, the securing of the endorsement and consent of both traditions will require the process to address relationships within Ireland and between Ireland and Britain. In this regard, institutions and structures will be needed, which while respecting both the requirements of identity and the diversity of the people of Ireland, would enable them to work together in all areas of common interest. Such structures would, of course, include institutional recognition of the special links that exist between the peoples of Britain and Ireland as part of the totality of relationships, while taking account of newly forged links with the rest of Europe (see also paragraph 16 below).

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11. Such institutions must be democratically accountable and must in their functions be open and transparent.



12. The comprehensive, systematic, effective and entrenched protection of human rights - civil, political, economic and social - should underpin the establishment and operation of agreed institutions and structures. Human rights should be guaranteed including, if necessary, internationally, on a basis of equivalence throughout all of Ireland, irrespective of the constitutional context and of any possible future changes to it. Critical issues in this regard, particularly in relation to Northern Ireland, will be the administration of justice and policing - specifically the development in each case of changes and reforms which will secure the unequivocal support and confidence of all sections of the community. The cultural and linguistic diversity of the people of all traditions, North and South, should be preserved and fostered as a source of enrichment and vitality.

12. The comprehensive, systematic, effective and entrenched protection of human rights - civil, political, economic and social - should underpin the establishment and operation of agreed institutions and structures. Human rights should be guaranteed **and entrenched through incorporation of international human rights conventions into domestic law** on a basis of equivalence throughout all of Ireland, irrespective of the constitutional context and of any possible future changes to it. Critical issues in this regard, particularly in relation to Northern Ireland, will be the administration of justice and policing - specifically, the development in each case of changes and reforms which will secure the unequivocal support and confidence of all sections of the community. The **specific** cultural and linguistic diversity of the people of all traditions [...deleted...] **must** be preserved, [...delete...] fostered **and protected** as a source of enrichment and vitality.

13. Particular attention must be paid to the protection of the rights and identity of any community which in consequence of the application of the principle of consent finds itself in a minority position, whether within Northern Ireland or within the island as a whole. It should be the duty of the state in such a situation vigorously, imaginatively and sensitively to protect and promote the interests of such a community, while also upholding the equal rights of the majority tradition.

13. Particular attention must be paid to the protection of the rights and identity of any community which [...delete...] finds itself in a minority position [...deleted...]. It **must** be the duty of the state in such a situation vigorously, imaginatively and sensitively to protect and promote the interests of such a community, while also upholding the [...delete...] rights of the majority tradition.



14. The achievement of greater and more equally-shared prosperity, the promotion of equality of opportunity and fair participation in the labour market, the eradication of discrimination, and the empowerment and inclusion of marginalised and deprived communities and groups, are not only vital in themselves, but also have the capacity to create a more stable social environment, in which new political arrangements are more likely to take root and command public confidence. These goals should be, and must be, vigorously pursued.
15. Mutual understanding and contact between individuals, groups, communities, organisations and institutions have an important role in the elimination of barriers of suspicion, in the creation of mutual trust and in the building of confidence and should be further promoted. Education will have a particularly significant function in this regard. Integrated education must be facilitated and encouraged - while remaining on a basis of choice - with greater emphasis and resources devoted to mutual understanding programmes in schools throughout Ireland.
15. Mutual understanding and contact between individuals, groups, communities, organisations and institutions have an important role in the elimination of barriers of suspicion, in the creation of mutual trust and in the building of confidence and should be further promoted. Education will have a particularly significant function in this regard. Integrated education must be facilitated and encouraged - while remaining on a basis of choice - with greater emphasis and resources devoted to mutual understanding, **the teaching of the Irish language and Irish history, [..delete..]** in schools throughout Ireland.
16. New arrangements must also incorporate a strong European dimension. In the face of changes in the character and nature of the European Union which will have profound implications for its member states and regions, new approaches will be required to address the common challenges and opportunities which these developments hold for both parts of the island and for Ireland and Britain as partners in Europe.
17. Each of the foregoing principles and requirements would apply and have equal validity in all constitutional situations, and under all of the institutional frameworks, which may be envisaged.



### Conclusion

The Forum parties are unanimous in their analysis of the nature of the problem as outlined in the Realities section of this document and in their commitment to the Principles and Requirements set out above. They believe that the opportunity that now exists to remove the cause of the conflict, for the healing of historic divisions, the creation of a lasting peace and the establishment of an honourable and enduring settlement acceptable to all is unprecedentedly favourable. But they acknowledge also that much difficult work lies ahead if the obstacles that remain are to be overcome and if the potential that currently exists is to be realised to the full. Such a process will require a total commitment to the principle of dialogue, to seeking to understand the fears, concerns and aspirations of the others engaged in the process, and to a spirit of compromise and reconciliation. Moreover, it will be essential that democratic solutions negotiated on this basis not be undermined by violence or the threat of violence. For their part, the Forum parties pledge their own commitment to these principles and approaches and earnestly ask all others involved to do the same. They look forward to a constructive dialogue on this document on as wide and comprehensive a basis as possible.