

POLITICAL DEVELOPMENT BRIEFING

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POLITICAL TALKS: BULL POINTS

- HMG remains firmly committed to seeking a widely acceptable political accommodation which would take account of all three key sets of relationships: those within Northern Ireland, within the island of Ireland and those between the British and Irish Governments.
- HMG believes that the best way forward lies in the Talks process involving all the main constitutional political parties and the two Governments. This commitment to dialogue is shared by the Irish Government and was reaffirmed at the last IGC on 10 September.
- I have a rational hope that the talks process will succeed, based on contacts with Church and party leaders by Michael Ancram during the summer. First there is a unanimous acceptance that the status quo is not a viable option - everyone wants a settlement. Second there is a general recognition of significant areas of agreement in the 1992 talks, even if much was on a contingent basis. Third there is support for discreet bilateral discussions, even if some do not consider the time is right for further round table Talks.
- Thus HMG has embarked on a process of further private discussions with the constitutional parties to explore the basis upon which they can come together for further dialogue. The aim is to establish areas of common agreement; explore areas of continued apprehension or disagreement and to try and identify the degree of flexibility which may be needed on all sides to resolve them.
- Also there is work for both the British and Irish Governments to do on the third strand of relationships between our two Governments.
- We have not set ourselves any artificial time limits on this process.

- Too early to say when fresh talks might start.

- Any further dialogue need not be in the same format. Talks are a means to an end and not an end in themselves.

- I hope that all the previous participants would take part in any future talks. HMG were glad to receive the UDUP paper "Breaking the Log-jam" as we welcome any constructive effort to make progress. We are studying the document.

- HMG will continue to do, as it has in the past, all it can to advance the process. We have said we are willing, if others would find it helpful, to bring forward proposals to provide focus and direction for new Talks once they begin.

- Some have suggested HMG should impose a solution but nothing will work without the support of those who will have to work any new arrangements, and the community at large.

- HMG has no hidden agenda; we have ruled out no options or possibilities for a final outcome; the key is acceptability and HMG holds that any new arrangements must have the consent of the community, including, the consent of the elected leaders of the constitutional parties.

- HMG is in a position to offer a judgement on where convergence amongst parties might be found. It is in this context that in my Liverpool speech I suggested that joint authority, in addition to its practical difficulties, is unlikely to prove acceptable to public opinion in Northern Ireland. Equally I made it clear that a return to devolution on conventional lines of simple majority rule would not be sufficiently acceptable.

NOTES FOR SUPPLEMENTARIES

Q1. The Talks are dead - time for the Government to try something else

No. Any settlement needs to address all three sets of relations. Those within Northern Ireland, those within the island of Ireland and those between the two Governments. Although it did not prove possible to reach a comprehensive settlement in the time available, last year's Talks took us a long way towards meeting that objective. All the participants agree that further dialogue is necessary and desirable.

Q2. What are the prospects for Talks?

The Government is currently engaged in a series of private bilateral discussions with three of the parties to explore with them the basis upon which they can come together for further dialogue. There is also work for the British and Irish Governments to do on the third strand of relationships between our two governments. It is too early to say what will emerge from these discussions.

Q3. What if the DUP refuses to join Talks?

The Government does not believe in answering hypothetical questions. It is far too early to speculate on such things. The Government would certainly wish to proceed with all four main constitutional parties in Northern Ireland.

Q4. What are new Talks likely to produce?

Should the two Governments and the parties reach agreement across all three sets of relationships, the outcome could include new locally accountable institutions in Northern Ireland that provide an appropriate role for representatives of both main parts of the community; new arrangements for contact and co-operation within the

island of Ireland; arrangements to reflect a continuing close relationship between the two Governments; and a clearly expressed understanding of the relevant constitutional issues.

Q5. Is the Government going to propose a "blueprint" for a settlement?

The Government does not have "blueprint" as such but in the interests of giving further Talks greater direction and focus, we are prepared to table proposals - based very largely on what was learned during the last Talks and reflecting consultations with other Talks participants - which could form a basis for discussion.

Q6. A united Ireland?

Agreement as a result of further Talks on a politically united Ireland is unlikely. This would require the consent of a majority of the people of Northern Ireland and such majority consent seems unlikely to emerge in the foreseeable future.

Q7. Just a return to Unionist majority rule?

No. Any devolved institutions in Northern Ireland are unlikely to operate on conventional lines of simple majority rule as such an outcome is unlikely to be widely acceptable.

Q8. Joint sovereignty/authority

Apart from questions of practicability, I do not believe any agreed outcome from further Talks would embrace any sharing by the two Governments of political responsibility for Northern Ireland. [Nor does the Government wish to share that responsibility.]

Q10. As time has passed, can you not now give a fuller account of the talks?

In my statement to the House on 11 November I gave an outline account of the ground covered during the three "Strands" of talks;

more than that I cannot say. In the present circumstances where we hope, after consultations, to find a way forward to further dialogue it would be premature and potentially damaging for me to give account of discussions which are as yet as incomplete.

Q11. Is it not time for the Government to impose a solution? Implement the agreed Strand I framework?

There is no question of an imposed solution. HMG is committed to the search for an agreed outcome. For any new structures to work, the arrangements must command the widest possible support and allegiance in Northern Ireland. [The possible outline structures considered in Strand 1 were not universally agreed and could not be implemented without securing wider support.] In any event, all the Talks participants have objectives which can only be met by changes addressing the whole of the agenda set out in my predecessor's statement of 26 March 1991.

Q12. Sir Ninian Stephen - future role?

All talks participants have paid sincere and well earned tributes to Sir Ninian Stephen and his Private Secretary [Mr George Thompson]. It is too early to say whether our consultations will lead to agreement that any further formal talks would be facilitated by the appointment of an Independent Chairman. If they were to do so, Sir Ninian would obviously be an outstanding candidate.

Q13. What about the Government's deal with the Ulster Unionists?

There is no deal with the UUP. The Prime Minister made it clear that nothing was asked for, nothing was offered and nothing was given.

Q14. What about a Select Committee for Northern Ireland?

- As the Government have repeatedly made clear, a Select Committee on Northern Ireland affairs may, in principle, be desirable. This is a matter for the House of Commons to

decide but there are a number of practical issues - composition, terms of reference etc - which would clearly need to be examined.

Q15. Will the Government end the use of unamendable Orders in Council?

Decisions on Bills vs Orders in Council are taken on a case by case basis. We shall continue to look at each case on its merits.

Q16. More powers for District Councils?

The Government's aim is to return greater responsibility to Northern Ireland's own elected representatives. During Direct Rule there is too much power in the hands of Central Government. But any changes should command acceptance across the community in Northern Ireland; the best forum for addressing the possible re-distribution of political power would be in new political Talks involving the main constitutional parties and the two Governments.

Sinn Fein - Hume Adams Talks

Q17. What is your reaction to the briefing given by John Hume to the Irish Government?

I do not know what Mr Hume has told them, but I have seen the statement by Mr Reynolds and Mr Spring that they intend to evaluate carefully the report they have been given and consult with other members of their Government before deciding on their next step. As I have said before, if the Irish Government decide to put any proposals to us we will of course consider them very carefully.

Q18. The statement talks about deciding "how best to continue..... discussions with the British Government for the achievement of the objective of peace on this island". What does this mean?

I take this to refer to the discussions that we will continue to have with them, and with the constitutional parties in Northern Ireland, about how we can build on the foundations laid in the

political Talks to make the progress which I hope and believe is possible.

Q19. Will the Government accept the report when it is forwarded to you by Mr Reynolds?

I understand the Taoiseach said last Sunday that he believed the report could supply part of the basis for peace. If the Irish Government decides to put any proposals to us then we would of course consider them very carefully.

Q20. Does this mean that the British Government will soon be having peace talks with Sinn Fein?

The position is perfectly plain - we will not engage in talks or negotiations with those who use, support or threaten violence to advance their political objectives.

Q21. In what circumstances would you talk to them?

There would be no question of that until the violence has been brought to an end and that has been clearly demonstrated for a sufficient period.

Q22. Has John Hume been acting as a go-between for the British Government?

Absolutely not. Hume's talks with Adams are entirely a matter for him. He has not been acting, either directly or indirectly on behalf of the British Government.

Q23. But has not HMG connived with Hume in this process. Did he give a tip-off about this initiative in Downing Street the week before last?

There has been no conniving in any respect. I have already said, and so has the Prime Minister, that Mr Hume's talks are a matter for him. As to a "tip-off", that is absurd. The Prime Minister and Mr Hume discussed the political and security situation in Northern Ireland.

Q24. Hasn't this scuppered the political talks process?

There is no reason why the Hume/Adams statement should be an obstacle to political progress in Northern Ireland. We are committed, as is the Irish Government, to doing what we can to encourage the constitutional parties in Northern Ireland to build on the foundations laid in previous talks to make the progress which I think is possible.

Q25. Could Sinn Fein join those discussions?

The talks are between the British and Irish Governments and the main constitutional parties in Northern Ireland. All the participants have made it clear that Sinn Fein has excluded itself from the process by continuing to support the use of violence to further its political aims. That has not been changed by the Hume/Adams statement and last week the people of Belfast once again had to endure destruction at the hands of the IRA. I welcome the Taoiseach's statement that "negotiations on a political settlement can only take place between democratic governments and parties committed exclusively to constitutional methods". That is the firm view of HMG too.

Opsahl Report

Q26. As Talks have failed what about the Opsahl Report?

This is a lengthy and detailed report which provides an interesting record of the Commission's work, which is aimed at stimulating further public debate. While the Government shall naturally take a close interest in any such discussion, it believes that the Talks process remains valid and provides the best chance of reaching a widely acceptable political accommodation.

Q27. Will the Government be considering the Report's recommendations?

It is not a Government report and we do not envisage offering a detailed critique of the proposals. We shall however take a close interest in any further public debate stimulated by the report.

Q28. What about the proposal to establish a Commission to review the situation and make recommendations for further consultations?

The Government firmly believes that the Talks objectives remain valid and achievable. The Government is determined to promote further dialogue between the main constitutional political parties in Northern Ireland and the two Governments.

Irish Government Issues

Q29. Irish Government attitude to Talks/willingness to amend Articles 2 and 3?

The Irish Government are as keen as we are to start new talks. This commitment to dialogue was reaffirmed at the last Intergovernmental Conference. Both Mr Reynolds and Mr Spring have stated their Government's clear willingness to initiate and incorporate change, including in respect of constitutional issues, in the context of an overall settlement and I welcome this. We believe this provides an encouraging context for further Talks.

Q30. Why doesn't the Government seek to challenge the validity of Articles 2 and 3 in the International Courts?

The maintenance of a territorial claim by one state on another is not in itself contrary to international law, provided that any attempt to pursue that claim is made by peaceful means and in accordance with the principles of international law. No British Government has accepted the territorial claim in Articles 2 and 3 and the Secretary of State has described these Articles as presently

formulated, as unhelpful. While any change is a matter for the Irish Government and people, we welcome the Irish Government's confirmation that it would be willing to initiate and incorporate constitutional change in the context of an overall settlement.

Q31. Government of Ireland Act 1920?

This Act has been mentioned in a number of different contexts. Much of it was rendered inoperable by events in what is now the Republic of Ireland and little of it remains on the statute book. The Government looks forward to further dialogue about the present-day realities and options which confront us.

Constitutional Issues

Q32. Is the Government more committed to the Union of Great Britain than the Union of Great Britain and Northern Ireland?

No. The only circumstances in which Northern Ireland might leave the Union is on the basis that that was the will of a majority of the people who live there. Equally, the Prime Minister has made it clear in respect of Scotland that no nation could be held irrevocably in a Union against its will.

Q33. Why is devolution appropriate for Northern Ireland but not for Scotland?

The history and circumstances of NI mean that any generally acceptable form of government for Northern Ireland is likely to be very different from that which is appropriate for Scotland. The need to achieve a functioning political accommodation between the two main parts of the community, the identity which a large minority of the Northern Ireland community shares with the Republic of Ireland, the very different administrative history and structures, the essentially regional based NI party structure are all relevant factors. In Scotland, as the White Paper explains, the best

approach is to strengthen Parliamentary accountability, devolve further powers to the Secretary of State for Scotland and give increased powers to institutions outside central government and to the people of Scotland.

Pursue Alternatives to Devolution

Q34. What about integration?

If any particular policy is to work in Northern Ireland it should be capable of passing two basic tests; it should be workable and widely acceptable throughout the community. I doubt whether what is usually meant by "integration" would meet those tests.

Q35. What about local government reform in Northern Ireland, the same as in England, Wales and Scotland?

The Government wishes to see greater power and responsibility in the hands of locally accountable representatives. But for any such arrangement to be stable and desirable, it must enjoy widespread acceptance and operate within a framework of stable relationships. We believe that the best way of achieving this lies with the Talks process.

3. As it stands, the draft does not include a substantive passage on the Hume/Adams talks. We are, however, keeping an eye on the developing situation and will include a passage in the next draft.

4. You mentioned in your minute that the Secretary of State might also need to say something about the position on legislative procedures, depending upon current correspondence with No 10. Again, the draft is silent on that at present but a passage can be included if necessary, later this week, once the Secretary of State has discussed the correspondence with officials.