

ANNEXParagraph 1

1. This sets the scene. The crucial phrase is the reference to "past failures". Nationalists and republicans would no doubt understand that to be an acknowledgement by the British government that earlier policies, including partition, had been failures. Our political development policy - at least for the last two years - has been explicit in its aim of addressing all the relationships as part of the same process, which implies an acceptance that earlier attempts to settle them have now succeeded. But certainly some Unionists would see paragraph 1 as nationalist language (and, specifically, Humespeak). The reference to the "people of both islands" is, however, helpful, and avoids the implication that the island of Ireland is the only relevant unit.

Paragraph 2

2. The reference to the "effective removal of borders" begs some questions. But the thrust of the paragraph - to capture the sense that EC development puts the "conflict" in a new context - is benign and helpful. There are signs that elements of the Provisional movement are developing the notion that the "armed struggle" may seem anachronistic in the light of growing European integration. (The reference to the absence of land links is probably justifiable, despite the existence within the EC of a number of large Mediterranean islands.)

Paragraph 3

3. The reference to "huge positive contribution" and to "last remaining divisions" (both recognisably Humespeak) are somewhat overblown, but not in principle difficult. The latter part of the paragraph presents a model of the two governments working together to "create an atmosphere which will foster agreement

and reconciliation" and "to promote intensive co-operation at all levels to strengthen the process of agreement and achieve closer unity of purpose" can (and would be) read in different ways. On one view it is harmless, but quite attractive, rhetoric with understandable nationalist, and republican, appeal because it implies drawing together the two parts of Ireland (and because the word "unity" is used). On another it is redolent of the model in the Anglo-Irish Agreement and, like that, will be seen as the two governments colluding to engineer a united Ireland. But, as such statements go, it is relatively mild.

#### Paragraph 4

4. The British government has various political and other interests in Northern Ireland but they are not "selfish"; in other words there should be no comma after selfish. The use of the word "political" in that formulation may be new but, provided it is governed by the word "selfish", may be acceptable. The suggestion that the "sole interest" of the British government is to see "peace, stability and reconciliation established by agreement among the people who inhabit the island" is contentious. Even if it were true (and it might be), the wording - like the text as a whole - implies that "Britain" has already, in its heart, abandoned Northern Ireland. The matter would be eased considerably if the paragraph included an expression of the constitutional guarantee. The Secretary of State's Statement of 26 March 1991, launching political talks, included this sentence: "HMG reaffirms their position that Northern Ireland's present status as part of the United Kingdom will not change without the consent of a majority of its people."

5. The second sentence of paragraph 4 is much more difficult, though what it says is probably true, and it is full of

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sentiments which are admirable in principle. Firstly it divides the British Isles between the "people of Britain" and the "people of Ireland"; second, it suggests that the former wish to see the latter "live together in unity and harmony". Accordingly the language assumes and anticipates the departure of Northern Ireland from the United Kingdom (a polity not recognised, or indeed mentioned, in the document) and the creation of a united Ireland. (On the other hand the first sentence of paragraph 5 provides some counter-balancing reassurance.)

#### Paragraph 5

6. This paragraph describes the Irish government position, though in a joint document the British government must attend closely to what it says. It is in many ways admirable: it accepts "in practice" that the "consent and agreement" of the people of "Northern Ireland" are necessary pre-requisites to the exercise of self-determination of the people of Ireland; it commits the Irish government - as the Anglo-Irish Agreement does not - to work to create institutions and structures which respect the diversity of people; it implies that the development of trust is a necessary pre-requisite to unity; "unity" itself, though it carries enormous resonances, is in terms defined as "an agreed future leading to a closer form of unity by agreement". Unity may, in other words, be something different from a united Ireland as a single sovereign nation state. "Unity", whatever it means, is also acknowledged to require "institutional recognition of the special links" between the peoples of Britain and Ireland" (not "Northern Ireland", it should be noted).

7. Paragraph 5 as a whole poses less difficulty for a British government committed (as a Labour government presumably would be) to the view that a united Ireland by consent is the favoured solution, than for one neutral on this issue.

Paragraph 6

8. This, too, is a unilateral paragraph which, in terms, describes action the Taoiseach proposes to take; but in a Joint Declaration the British government would be co-opted. (The "Note" at the end makes it clear that the Irish government would establish the proposal Convention anyway. It is not clear whether, at this stage, the Irish government is formally telling us this.) The Taoiseach would establish a permanent Irish Convention to "consult and advise" on the steps needed to remove barriers of mistrust. It appears accordingly to be a non-executive body, advising only the Irish government on how it should remove mistrust. Though the objective is to achieve, in effect, unity by consent, the enterprise of inducing the Irish government to think about gaining the confidence of the Unionists is a useful one which British officials and Ministers have periodically urged on the Irish side.

9. The Convention would be open to "all democratic parties in Ireland who share the objective of a united Ireland achieved peacefully through democratic self-determination" (i.e. constitutional nationalists and, presumably, Sinn Fein if the "armed struggle" were abandoned). It will also be open to democratic parties in Ireland "who wish to share in dialogue about Ireland's political future and the welfare of all its people" (in principle this could bring in the Conservative Party and the Unionists, in practice it might attract the Alliance Party).