

STRAND TWO - PRINCIPLES AND REQUIREMENTS

Paper Presented by the Irish Government

Principles

The Irish Government regards the following principles as fundamental to the Strand Two negotiations:

- that all the people living on this island of Ireland have the right to peace, based on justice;
- that the most urgent and important issue facing the people of Ireland, North and South, and the British and Irish Governments together, is to remove the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted;
- that the ending of divisions can only come about through agreement and cooperation of the people, North and South, representing both traditions in Ireland;
- that the pursuit of all political goals must be undertaken by exclusively democratic and peaceful means, characterised by dialogue and free from violence and coercion;
- the exercise of the right to self-determination, as set out in the Joint Declaration of 15 December 1993;
- consent in all its aspects: namely, that any change in the status of Northern Ireland should only come about with the consent of a majority of people there; that if a majority of people in Northern Ireland wished for a sovereign, united Ireland that

would be given effect; and that the consent of the governed is an essential ingredient for stability in any political arrangement; and that the aim of the negotiations is to achieve a new and lasting agreement which commands the consent of both unionists and nationalists;

- that dialogue, both within the North and between the people and their representatives in both parts of Ireland, must be entered into with an acknowledgement that the future security and welfare of the people of the island will depend on an open, frank and balanced approach to all the problems which for too long have caused division;

- that stability and well-being will not be found under any political system which is refused allegiance or rejected on ground of identity by a significant minority of those governed by it;

- that any new political arrangements must be based on full respect for, and the protection and expression of, the rights and identities of both traditions in Ireland, and even-handedly afford both communities in Northern Ireland parity of esteem and treatment, including equality of opportunity and advantage;

- that North/South institutions would ensure that both communities are afforded secure and satisfactory political, administrative and symbolic expression and protection;

- that no outcome to the negotiations is either predetermined or excluded in advance or limited by anything other than the need for agreement;

- that, as already agreed by them, participants in the negotiations must abide by the terms of any agreement reached in the negotiations and to resort to democratic and exclusively peaceful methods to try to alter any aspect of that outcome with which they may disagree.

Requirements

The Irish Government suggests the following as the broad requirements for an agreed outcome to the Strand Two negotiations:

General

- in order to achieve a new beginning for the unique set of relationships which exist within this island of Ireland, it will be necessary for participants to negotiate in an open-minded and innovative way, drawing on the experience of other situations without being bound by the need to observe the limitations of precedents established elsewhere;
- a new political dispensation is required, representing an honourable, democratic accommodation between the two major traditions with which both can live and which is based on consent and on full respect for the concerns, rights and identities of all; there must be a rejection of any concept of victory or defeat;
- this new dispensation must include new institutions and structures which will take account of the totality of relationships, including relationships between North and South in all their aspects, and enable the people of Ireland to work together in all areas of common interest while fully reflecting their diversity;
- any comprehensive political settlement must address all the relevant relationships, namely those within Northern Ireland, including the links between any new institutions there and the Westminster Parliament; within the island of Ireland; and between Britain and Ireland, including the links with any new institutions in Northern Ireland;
- new arrangements should incorporate a strong European dimension and should be

capable of responding to the process of rapidly evolving change in the European Union;

Constitutional Issues

- an accommodation will involve an agreed new approach to the traditional constitutional doctrines of the two Governments and the two main traditions along the lines set out in paragraphs 14-21 of *A New Framework for Agreement*;

Nature, form and extent of new arrangements

- institutions and structures must be created which, while recognising the diversity of the people of Ireland, will enable them to work together in all areas of common interest;
- these institutions should include a North/South Body as described in paragraphs 25 - 38 of *A New Framework for Agreement*;
- there should be a Parliamentary Forum, with representatives from agreed political institutions in Northern Ireland and members of the Oireachtas, to consider a wide range of matters of mutual interest;

Relationships with other arrangements

- institutional arrangements across the three stranded-relationships should be interlocking and mutually supportive;
- North/South institutions and structures should have a structural relationship with institutions in Northern Ireland, with the Irish Government and Oireachtas, with the British Government and Westminster, with any new intergovernmental arrangements and with the European Union;

- the development of Europe will require new approaches to serve interests common to both parts of the island of Ireland, and to Ireland and the United Kingdom as partners in the European Union;
- consideration should be given to the possible implication of devolution in Great Britain for North/South arrangements;

Rights and Safeguards

- agreed arrangements should enhance and facilitate the development of a truly pluralist ethos throughout the island of Ireland;
- 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;
- a new comprehensive settlement should be complemented and underpinned by an explicit undertaking in the agreement on the part of each Government, equally, to ensure in its jurisdiction in the island of Ireland, in accordance with its constitutional arrangements, the systematic and effective protection of common specified civil, political, social and cultural rights;
- particular attention must be paid to the protection of the rights and identity of any community which in consequence of applying the principle of consent finds itself in a minority position, whether in the North, or in the South, or in the island as a whole; entrenched provisions should guarantee equitable and effective participation for such a minority;
- a Charter or Covenant should be adopted by democratic representatives from both jurisdictions in Ireland which might reflect and endorse agreed measures for the protection of the fundamental rights of everyone living on the island of Ireland;

- the cultural and linguistic diversity of the people of all traditions, North and South, should be safe-guarded and fostered as a source of enrichment and vitality;

- the achievement of greater and more equally shared prosperity, the promotion of equality of opportunity and fair participation in education, 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 likely to take root and achieve public confidence.