

FROM: Q J THOMAS
DUS(L)
29 NOVEMBER 1993

Copy no ³ of [10]

- cc. PS/Michael Ancram [2]
- PS/PUS(L) [3]
- PS/Mr Fell [4]
- Mr Deverell [5]
- Mr Cooke [6]
- Mr Rickard [7]
- Mr Beeton [8]
- Mr May [9]
- File [10]

PS/SECRETARY OF STATE(L) [1]

A UNILATERAL DECLARATION

I appreciate that the Secretary of State may feel he has had heard more than enough of 'peace processes'. But we have incomplete work with the Irish Government on the idea of a Joint Declaration to be made, perhaps, at the next Head of Government meeting.

2. It is possible that the Irish Government, following their Cabinet meeting, will show more interest in the British draft conveyed to them in Dublin, and that we can broker an agreed text with them.

3. Equally it is possible that Mr Reynolds will act on his only half-veiled threat (or promise?) to go it alone, whatever that might entail. In fact, as is only too obvious, the British Government has been ready to take risks in its own pursuit of peace; and the text of which Mr Reynolds, at least at first, was dismissive represents a forward statement, though not one which threatens the interests of the Unionists or the consent principle. (I do not of course deny that this will not be a universal Unionist assessment, despite Mr Molyneaux' private support.)

S E C R E T A N D P E R S O N A L

4. If further exchanges with the Irish Government are broken off, or descend into recrimination, there is a case for HMG getting its Statement on the record. It might produce an immediate response from the Provisionals. But even if it does not, the gap between it and the Irish Government's own position is narrow, and to some extent capable of being filled by them unilaterally. (They could, to take the largest and most obvious gap, set up the Permanent Irish Convention in their own Statement. There is no need for HMG to be involved in its establishment, and even the Irish draft gave us no role in respect of it.)

5. Accordingly, if the Irish Government are right in their belief that their last draft would have secured a cessation of violence, and if HMG makes its own Statement close to it, the Provisionals will be left fighting on for a very narrow issue. This may, over time, have considerable impact on them; as we believe did the 'no selfish strategic or economic interests' formula.

6. There are obvious arguments against this, especially now. But there are also arguments for it: including the argument that we should see things through to the end (and be hung for a sheep as well as a lamb)!

7. In any event, I attach an illustrative draft, drawing on the text of 25 November 1993 which Sir Robin Butler tabled in Dublin. I expect it deserves more work, but judge it best to put it in circulation straight away.

Signed:

Q J THOMAS

DUS(L)

29 NOVEMBER 1993

S E C R E T A N D P E R S O N A L

JEN/L/11/102/48268

ARRANGED PARLIAMENTARY QUESTION

To ask the Prime Minister if he will make a Statement about the constitutional position of Northern Ireland.

Draft Reply

I wish to make the following statement:

1. The Government reaffirms that Northern Ireland's present status as part of the United Kingdom will not change without the consent of a majority of its people.
2. The Government affirms that:
 - (i) ~~while~~ ^{its} fundamental interest in Northern Ireland is to uphold by all legitimate means the democratic wishes of its people as to their constitutional status, ^{it} ~~it~~ has no selfish strategic or economic interest that would lead it to seek to retain Northern Ireland within the United Kingdom against the wishes of the greater number of its people;
 - (ii) its overriding concern is to see peace, stability and reconciliation established by agreement among all the people who inhabit the island; and
 - (iii) it will continue to work with the Irish Government and the constitutional parties in Northern Ireland to achieve such an agreement, which should embrace the totality of relationships, and lead to the establishment of arrangements and institutions which

reflect the principles of equality of opportunity, equity of treatment and parity of esteem, and hence attract the support and assent of all their people.

3. At the same time, the Government:

- (i) acknowledges that the people living in Ireland, North and South, should be free separately, without coercion or violence, to determine whether a united Ireland should be established;
- (ii) accepts and acknowledges accordingly that if, but only if, a majority in each part of Ireland freely expressed the wish that there should be a united Ireland then, in accordance with normal democratic principles, this should come about;
- (iii) confirms, in particular, that if, in the future, a majority of the people of Northern Ireland clearly wish for and formally consent to the establishment of a united Ireland, it will introduce and support legislation to give effect to that wish;
- (iv) confirms its wish to see agreement reached on arrangements, structures or institutions to which all the people living in Ireland, North and South, could separately give assent and support;
- (v) confirms that such arrangements, structures or institutions may, to the extent that they may be empowered to do so by new political institutions in Northern Ireland, the Westminster Parliament, or the Dail as appropriate, take the form of agreed structures for the island as a whole;
- (vi) acknowledges, accordingly, a binding obligation to work to implement without impediment any measure of agreement on future relationships in the island of

S E C R E T A N D P E R S O N A L

Ireland, whether of this character or any other, which the people living in the North and South may separately themselves freely determine and consent to;

and accordingly hereby agrees that it is for the people of the island of Ireland, North and South separately, themselves to exercise such rights of self-determination on the basis of freely and concurrently given consent, North and South.

4. The Government acknowledges that a substantial minority of the people of Northern Ireland wish for a united Ireland; accepts that they have the right to pursue that aspiration from a basis of parity of esteem, by peaceful and democratic means and without impediment; but believes that relations on the island of Ireland, and between the two islands, need to be enhanced by a change in the Irish Constitution whereby the claim of right to Northern Ireland is no longer exerted, and the principle is reflected (as enunciated in the Joint Statement of 29 October 1993) that any political settlement must depend on consent freely given in the absence of force or intimidation.

5. The Government, without prejudice to the foregoing, would welcome the achievement by the people of the island of Ireland, North and South, of agreement on how they may live in concord, harmony and partnership, showing respect for their diverse traditions and fully recognising the special links and the unique relationship which exist between the people of Britain and Ireland. The British Government will seek, consistently with the foregoing, to assist and enable such a process over a period of dialogue and co-operation based on full respect for the rights and identities of both traditions in Ireland.

6. The Government believes the most urgent and important issue facing the people of Ireland, North and South, and the British and Irish Governments together, is the removal of the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted, recognising that the absence of a

S E C R E T A N D P E R S O N A L

JEN/L/11/102/48268

lasting and satisfactory settlement of relationships between the people of both islands has contributed to continuing tragedy and suffering.

7. The Government believes that a new accommodation of this kind is best pursued through a process addressing all the relevant relationships and involving both Governments and the main constitutional parties in Northern Ireland. It is convinced of the inestimable value to all the people of these islands of healing divisions in Ireland and of ending a conflict which has been so manifestly to the detriment of all.

8. The Government believes that the prospects for advancing this process, and for bringing it to a successful and agreed conclusion, could be further enhanced if all those who use, threaten or support violence for political ends would renounce it for good. If and when such a renunciation of violence had been made and sufficiently demonstrated, new doors could open and the Government would wish to respond imaginatively to the new situation which would arise. If the IRA were to end violence for good then, after a sufficient interval to ensure the permanence of their intent, Sinn Fein could enter the political arena as a democratic party and join the dialogue on the way ahead.

RODERIC LYNS

cc PS/Sat 9 (8)
PS/Michael Ansell (4)
PS/10/15 (4)
PS/Mr Bell
Mr Thomas
Mr Devereux
Mr Cooke
Mr Maccabe
Mr Rickard