

Aide-Memoir

1. The Taoiseach wishes to put forward for consideration by the Prime Minister and for further discussion a draft Joint Declaration by the Prime Minister and himself, which he is satisfied would bring the 23 year old campaign of violence by the Provisional IRA to an end. The Taoiseach believes that the opportunity to end a campaign which has mainly contributed to the loss of well over 3,000 lives and which has caused substantial damage and cost to both economies and to the international reputations of both Britain and Ireland, should be grasped now rather than allow the dangerous stalemate to continue for another 20 years, with all the unpredictable risks that may entail.
2. The draft Declaration has been drawn up in consultation with Mr Hume, Leader of the SDLP, using language from previous communiqués and Agreements, from speeches by the Secretary of State, and from the Report of the New Ireland Forum. It is, the Taoiseach is authoritatively informed, acceptable to both Sinn Féin and the IRA as a basis for an alternative political strategy for peace, which will involve a lasting cessation of violence.
3. The draft Declaration is fully consistent with the international obligations of both Governments and with the terms of Article 1c of the Anglo-Irish Agreement. Indeed, the acceptance by the entire Irish Nationalist tradition of the reality of the need for consent as an essential practical prerequisite to the establishment of a united Ireland represents potentially a profound and historic shift. The armed struggle took place, because hitherto this principle was not accepted.
4. The key concept in the Declaration is acceptance of the Irish people's right to self-determination, but the draft Declaration makes it clear that this can in practice

only be exercised jointly by North and South (paras. 3,4, and 5), separately and together. The idea of 'joint self-determination' has recently been welcomed by the Honorary Secretary of the Official Unionist Party, Mr Chris McGimpsey.

{ The draft Declaration would involve the British Government taking a favourable view of a united Ireland as a desirable long-term goal, provided that sufficient agreement and consent were forthcoming. This was the position of the British Government at the time of the Government of Ireland Act, 1920, and the Anglo-Irish Treaty in 1921. The Taoiseach believes that it would be reasonable for the British Government to restate that position now, which was part of the original compromise on the basis of which partition was reluctantly accepted by Irish representatives as a political reality. The whole emphasis in the Declaration is on winning consent and the necessity of it.

not true

yes 1925?

not true.

6 It is accepted on all sides that the pursuit of a united Ireland is a legitimate aim, and under the terms of the Anglo-Irish Agreement, Art. 1c, both Governments declare 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, they will introduce and support in the respective Parliaments legislation to give effect to that wish'.

(his remarks 1 a x 14)

7 The immediate objective is that both Governments work together with all the parties in Northern Ireland (prepared to commit themselves exclusively to the democratic political process) to find a settlement that can be endorsed by the Irish people as a whole, North and South, separately and together, and which will assist the process of reconciliation throughout the island. We should seek agreement as early as possible on democratic institutions, including strong North-South institutions with executive power, which will develop the habit of dialogue and co-operation between North and South.

back to p 14

- 2 The draft Joint Declaration contains a reference to a period to be agreed, which will need to be defined. The Irish Government's position is that they will seek to achieve an agreed Ireland over the space of a generation. They are informed that such a time-frame would be accepted, albeit reluctantly, by the Republican movement. The term 'agreed Ireland' could include in the short term interim/intermediate structures fully agreed, North and South. But we also envisage it as eventually involving the full political unity and independence of the entire Island, recognizing the special links and unique relationship existing between the peoples of Britain and Ireland, which are capable of considerable further development, once freed from the legacy of history.
- 9 The very concept of an 'agreed Ireland' carries within it the concept of agreement and consent. It is therefore reasonable, especially given the acknowledgement by the Secretary of State that Britain has no selfish political, strategic or economic interest in remaining in Northern Ireland, to seek the British Government's support for an agreed Ireland with the aim of achieving it over a generation. This would not represent an absolute deadline. Indeed, we have made it very clear that consistent with the practical requirement for consent there could be no definite guarantee of any particular time-frame, by which Irish unity would be achieved. The Irish Government have already made it very clear that no one can guarantee a positive result within any particular fixed period of time.
- (e) The principal question that requires to be considered in connection with the course of action proposed is the possible reaction of the Unionist community. The Taoiseach takes the view that the greatest possible service that can be performed for all the people of Northern Ireland is to reestablish peace, and to halt what is perceived by many Unionists as a campaign of murder directed primarily against them. The loyalist paramilitaries are on record as saying that they will cease as soon as the IRA does, and in any case they would find it very difficult to continue for any length of time in

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isolation. The British Government will have fulfilled its obligations, in defending the people of Northern Ireland against any attempt to coerce them. In conditions of peace, it is reasonable, however, to expect all parties in the North, together with the Government in the South, to find a political accommodation which will allow them to share and live together on the island of Ireland peacefully. The Taoiseach accepts that there is no immediate prospect of agreement and consent by a majority in the North to a united Ireland, but believes like the British Government that a far-reaching accommodation, involving the two communities working together in Northern Ireland, the two parts of Ireland co-operating closely together, and closer links between Ireland and Britain can and should be achieved within the next five years and hopefully much sooner, transcending and replacing the Anglo-Irish Agreement. At a later stage, all going well, this could develop towards some form of Irish unity, an outcome which cannot be foreclosed or ruled out, as the Secretary of State made clear recently in a speech.

In order to ensure that Sinn Fein would be immediately involved in the political process, following the cessation of violence, the Taoiseach undertakes to re-establish the New Ireland Forum in the form of an Irish Convention open to all democratic parties in Ireland. It would be a purely consultative body under the authority of the Irish Constitution and without prejudice to the powers and prerogatives of either the Government or the Dáil.

The Taoiseach would like to suggest that the Prime Minister might study the text together with the Irish Government's clear understanding of it, and that within a reasonable period of time they might decide at a later meeting whether it provides a basis on which to proceed. For the Declaration to achieve the required effect, the definition of the period to be agreed, and any proposed changes to the text as well as

adequate notice of the date of its promulgation would have to be conveyed to the parties concerned.

- Paragraph 4, a key paragraph in the latest Joint Declaration Text, would require HMG to commit itself to three major propositions which are contrary to present Government policy:
 - The Irish people have the right collectively to self-determination;
 - HMG would commit itself to give legislative effect to this right over a period agreed by both Governments, albeit a period said to allow sufficient time for the building of consent;
 - HMG would join the ranks of the persuaders (that there should be a united Ireland). This would mean committing ourselves to a united Ireland as a desirable outcome.

The present text follows very closely the wording of Draft 4 of the Joint Declaration (JD-4). This was the version which Mr Hume handed to PUS, RIG on 29 April, and which we assumed had emerged from the DFA. It does, however, incorporate almost word for word (the middle three sentences of the present para.4), the alternative passage proposed by the PAC and conveyed by Mr Hume in June 1982. Our view at the time was that this passage was totally unacceptable.

A key difference on this round is that the Taoiseach is saying, in his accompanying Aide Memoire, that on the basis of indirect contacts he is satisfied that the present draft, if used, would bring PIRA's campaign of violence to an end. He believes that this opportunity should be grasped and asks the Prime Minister to consider and discuss with him the present draft of the Joint