

RESTRICTED - POLICY

4618
D325A

FROM: RICHARD LEMON
PS/MICHAEL ANCRAM

9 JUNE 1996

DESK IMMEDIATE

cc PS/Michael Ancram (L)	- B
PS/PUS (L&B)	- B
PS/Sir David Fell	- B
Mr Legge	- B
Mr Thomas (B & L)	- B
Mr Bell	- B
Mr Leach	- B
Mr Steele	- B
Mr Watkins	- B
Mr Wood (L&B)	- B
Mr Beeton	- B
Mr Stephens	- B
Mr Hill (B & L)	- B
Mr Lavery	- B
Mr Maccabe	- B
Mr Perry	- B
Ms Checksfield	- B
Ms Harrison	- B
Ms Mapstone	- B
Mr Whysall	- B
Mr Campbell-Bannerman	- B
HMA Dublin	- B
Mr Lamont, RID	- B
Ms Collins, Cabinet Office	- T

PS/SECRETARY OF STATE (L&B) - B

HMG'S DRAFT OPENING STATEMENT

Jonathan Stephens' minute of 6 June refers.

The Minister has made the following comment -

"We must enter these talks as the British Government and not as part of a British/Irish approach. We can be certain that the Irish will come out with all nationalist guns blazing. We must not look pusillanimous."

I have attached an amended paper. Square brackets indicate deletions and insertions are in bold.

[sgd]

RICHARD LEMON

RESTRICTED - POLICY

EPC/10108

(6 June 1996)

OPENING STATEMENT BY THE BRITISH GOVERNMENT

Introduction

1. The purpose of these negotiations is to achieve a new beginning for all the people of Northern Ireland [for relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands,] and to agree new institutions and structures to take account of the totality of relationships within and between the various parts of these islands.. (Comment: Let's have British rather than Irish language for a change.)

2. A new beginning is required because, alongside much that has been positive, constructive and co-operative in these relationships in the past, there has also been much that has been negative and destructive and there have been institutions and structures which have failed to secure consent and allegiance across the community. [Although we are here to achieve a new beginning, we are also conscious that there is much in the past for deep regret, and the British Government for its part shares in that regret to the full.] (Comment: Let's not start on the back foot!)

Principles of democracy and non violence

3. For the last 25 years, all sections of the community in Northern Ireland have endured the deprivations that result from sustained violence. From the disruption of normal daily life and the damage to economic development, to the immense human suffering resulting from murder and maiming, the violence has affected everyone. Overwhelmingly, particularly in recent months, the people of Northern Ireland have rejected violence and demonstrated a strong desire for a spirit of compromise informing a practical process of negotiation.

4. The Government joins the overwhelming number of the people of Northern Ireland in totally rejecting any attempt to promote political objectives by violence or the threat of violence. Terrorism has done great damage and inflicted immeasurable human

suffering. More particularly, it has rendered the search for a just and lasting political settlement, as well as the achievement of economic prosperity, far more difficult, and it has also made necessary the substantial commitment of the armed forces in support of the police.

5. Accordingly, the only basis for negotiations aimed at securing genuine and free agreement is a common commitment by the participants to exclusively peaceful methods and to abide by the democratic process, as set out in paragraph 10 of the Downing Street Declaration. It would not be possible for negotiations requiring trust and confidence among the participants to make progress if one participant, or its associates, retained the threat of violence or where there was any hint of duress. The Government therefore welcomes the total and absolute commitments now made by all participants to the principles of democracy and non-violence recommended by the International Body.

6. There can be no doubt that the withdrawal of all threats of violence would have enhanced the climate in which these negotiations take place. The Government recognises the important contribution of the Combined Loyalist Military Command in maintaining the ceasefire declared on 13 October 1994. It deeply regrets the failure of the IRA to play its part in building the climate of peace by restoring unequivocally the ceasefire of 31 August 1994, with the result that Sinn Fein will not participate in the negotiations unless and until it is restored.

7. The British Government enters these negotiations determined that they will be used in the most constructive possible manner in the search for agreement. In accordance with that, this statement sets out the Government's approach to Northern Ireland, to these negotiations and the key issues which will need to be addressed.

Principle of consent

8. The Government reaffirms that it will uphold the democratic wish of a greater number of the people of Northern Ireland [on the issue of whether they prefer to support the Union or a sovereign united Ireland]. The Government's fundamental approach to the future of Northern Ireland is based on the right of self-determination and the principle of democratic consent, as set out in paragraph 4 (*) of the Downing Street Declaration. [The Government reaffirms its agreement, recorded in that paragraph, that it is for the people of the island of Ireland alone, by agreement between the two parts respectively, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland, if that is their wish.] It reaffirms all its other commitments in that Declaration together with its obligations under international agreements and the guarantees which it has given, including Northern Ireland's statutory constitutional guarantee which states that in no event will Northern Ireland cease to be part of the United Kingdom of Great Britain and Northern Ireland. (* Comment: add from other paragraphs referring to the consent of the majority of the people of Northern Ireland.)

9. The Government believes that respect for this fundamental principle of consent is supported overwhelmingly by [the] people [of] in the island of Ireland, both North and South. It welcomes the parallel commitments on behalf of the Irish Government in paragraph 5 of the Downing Street Declaration and its readiness, set out in "A New Framework for Agreement", as part of a new and equitable dispensation for Northern Ireland, to take the necessary steps to enable recognition by both Governments of the legitimacy of whatever choice is freely exercised by a majority of the people of Northern Ireland with regard to its constitutional status, whether they prefer to continue to support the Union or a sovereign united Ireland.

10. Through these negotiations, the Government will itself stand by this fundamental principle, and will urge its full adoption and

Implementation as part of a comprehensive and overall settlement.

The Government's objectives

11. Under this fundamental principle, the Government's priority in Northern Ireland is to help achieve peace, stability, reconciliation and prosperity, and to establish locally accountable democratic institutions carrying widespread support and acceptance within a wider framework of harmonious relations based on consent.

12. The Government acknowledges a responsibility to all the people of Northern Ireland to provide security, stability and good government. The Government is committed to the establishment of a society in which all may live in peace, free from discrimination and intolerance, and with the opportunity for members of all sections of the community to participate fully in the structures and processes of government on the basis of parity of esteem.

13. The Government recognises that Northern Ireland's various community, security and social and economic problems tend to reinforce each other in a way which makes their solution, both individually and collectively, more difficult. Given this intimate and inseparable connection between Northern Ireland's political, security and economic and social problems, the Government recognises the need to tackle all these deep seated problems together.

14. In pursuit of these goals, we have, in our policies in Northern Ireland sought to:

- [promote the attainment of agreement amongst all the people who live in the island of Ireland, working together with the Irish Government to that end;] (Comment: Where is this from?)

- undertake a co-ordinated and coherent approach to all aspects of Government policy in Northern Ireland, recognising that the fundamental political, security and economic and social problems of the region are closely

interrelated; and

- pursue policies informed by the principles of equality of opportunity, equity of treatment and parity of esteem irrespective of political, cultural or religious affiliation or gender.

Political and social realities in Northern Ireland

15. The achievement of an overall political settlement requires recognition and understanding on all sides of the different aspirations, identities and cultural affiliations among the population of Northern Ireland. It also requires awareness of the unique set of relationships involved in Northern Ireland's position as part of the United Kingdom, and its position within the island of Ireland.

16. Northern Ireland is part of the United Kingdom, in domestic and international law, and its citizens enjoy the same fundamental rights and responsibilities as all other UK citizens. The British Government is accordingly the lawful and democratically-constituted governing authority in Northern Ireland. There can be no change to the status of Northern Ireland as part of the United Kingdom without the consent of a majority of the people of Northern Ireland. It is the present wish of a greater number of people in Northern Ireland for it to remain part of the United Kingdom.

17. Northern Ireland has a divided community, characterised by traditions and identities which extend beyond Northern Ireland itself to the rest of the island of Ireland and to the rest of the United Kingdom. Its pattern of allegiances however, is not clear cut.

18. The larger part of the population of Northern Ireland retains a strong sense of loyalty to the Crown, believing that its culture and ethos can best be preserved if Northern Ireland remains part of the United Kingdom. This does not necessarily preclude a sense of having a specific Northern Ireland identity.

19. The minority community, in general, identifies more with the rest of Ireland and, politically, many in that community aspire to the achievement of a sovereign, territorially united Ireland. Some also have a sense of having a specific Northern Ireland identity. A substantial minority of the community are content that Northern Ireland should remain part of the United Kingdom.

20. The present arrangements for the governance of Northern Ireland are unsatisfactory in that they give the people of Northern Ireland less say over their own affairs than is the case elsewhere in the United Kingdom. There is a compelling need for the people of Northern Ireland to be given a greater say over their own affairs and for that to be reflected in greater political power, authority and responsibility being transferred to locally elected representatives within a framework of agreed relationships.

21. Northern Ireland has suffered from an absence of agreement on political arrangements which would allow representatives from all main parts of the community to play a full and effective part in the political life of the region.

22. Any new arrangements for the governance of Northern Ireland must be acceptable to the people and give appropriate expression to the identity of each of the two main parts of the community. They should uphold and apply principles of equality of opportunity, equity of treatment and parity of esteem already established by the Government. There can be no going back to a system of government in Northern Ireland which has the allegiance of, and is operated by, only one part of the community.

23. A purely internal settlement will not secure widespread acceptance across the community in Northern Ireland. Any political agreement must therefore address all the relevant relationships, not only those between the two main parts of the community within Northern Ireland, including the relationship between any new political institutions there and Westminster Parliament, but also those between Northern Ireland and the Irish Republic and between the United Kingdom and Irish Governments, including their relationship

with any new institutions in Northern Ireland.

24. The achievement of a lasting peace in Northern Ireland requires a permanent end to all forms of paramilitary violence. The existence of large arsenals of illegal weapons poses a threat to all parts of the community and undermines the basis of confidence and trust which new agreed institutions will require. There cannot be a lasting peace without the total and verifiable decommissioning of these weapons.

25. Any lasting settlement must command the support of the people of Northern Ireland.

The Government's approach to the negotiations

26. Throughout these negotiations, the Government will act in pursuit of its primary interest, as set out in the Downing Street Declaration, of seeing peace, stability, and reconciliation established by agreement among all the people who inhabit the island, and it will work together with the Irish Government to achieve such an agreement. [The Government reiterates that it has no selfish strategic or economic interest in Northern Ireland to motivate it to act other than in accordance with this primary interest. Accordingly,] (Comment: Not necessary.) The Government's role is to encourage, facilitate and enable the achievement of agreement over a period through a process of dialogue and co-operation based on full respect for the rights and identities of both traditions in Ireland.

27. As part of this role, the Government published on 15 February 1995, in "Frameworks for the Future", with appropriate parts agreed with the Irish Government, [its view of] the shape of what a possible comprehensive settlement might look like across all the relevant relationships based on its best assessment of where broad agreement might be found. This was offered, not as a rigid blueprint to be imposed, but as an aid to discussion and negotiation. As explained in the Ground Rules, while no outcome is either predetermined or excluded in advance, and while participation in negotiations is without prejudice to any participant's commitment to the achievement

by exclusively peaceful and democratic means of its own preferred options, it is common ground that any agreement, if it is to command widespread support, will need to give adequate expression to the totality of all three relationships.

28. The Government repeats its determination, set out in the Ground Rules and shared with the Irish Government, that the structure and process of these negotiations will be used in the most constructive possible manner in the search for agreement. The Government will use its influence in the appropriate strands to ensure that all items on the comprehensive agenda are fully addressed in the negotiating process and commits itself to doing so with a view to overcoming any obstacles which may arise.

29. The Government confirms its commitment to all aspects of the report of the International Body, established to provide an independent assessment of the decommissioning issue. In particular, the Government agrees with the International Body that the compromise approach to decommissioning set out in paragraphs 34 and 35 of its Report, under which some decommissioning would take place during the process of all party negotiations, rather than before or after, provides the opportunity to move forward, and that it is on the basis of working constructively to implement this and all other aspects of the Report that the negotiations should be advanced.

30. Accordingly, along with the Irish Government, it will work with all the participants in the negotiations to implement all aspects of the Report of the International Body.

31. The Government is committed to submit any agreement reached by the parties at negotiations to a referendum for approval by the people of Northern Ireland and, subject only to this, to introduce the necessary legislation and administrative arrangements to give effect to it.

Conclusion

32. These are comprehensive negotiations, designed to address all

the significant issues which any participant considers relevant. The parties from Northern Ireland have a democratic mandate to participate. These negotiations offer the opportunity to build a new consensus on Northern Ireland and its wider framework of relationships - a consensus which could underpin a lasting peace.

33. The Government has striven to secure the launch of these negotiations and will participate in good faith, making every effort to encourage agreement. It is overwhelmingly in the interests of the people of Northern Ireland that such agreement be achieved.

34. However, the critical role in these negotiations is for the parties, elected by and representing the people of Northern Ireland. If the divisions which exist are to be overcome, and the new beginning which all seek secured, then that can only be achieved by the direct engagement with each other, in a process of dialogue searching for agreement, of the representatives of the people of Northern Ireland.

35. These negotiations provide the opportunity for such a process. All can engage without surrendering principle or fundamental aspirations. But these negotiations also place a heavy responsibility on the parties to find a way in which the people of Northern Ireland may live together in peace with each other and with their neighbours throughout these islands.

36. The Government pledges itself to do all it can to support the parties in the achievement of that goal, which it is convinced will be to the inestimable benefit of all.

NORTHERN IRELAND OFFICE

10 JUNE 1996

EPC/10107