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FROM: P N BELL
JOINT SECRETARY
5 JULY 1996

3251-18
POLITICAL AFFAIR
DIVISION
05 JUL 1996
D.O. BELFAST

cc PS/Sir David Fell -B
Mr Thomas -B
Mr Watkins (o/r) -B
Mr Steele -B
Mr Leach -B
Mr Hill (B&L) -B
Mrs Brown -B
Mr Maccabe -B
Mr Lavery -B
Mr Beeton -B
Mr Perry -B
Mr Stephens -B
Ms Harrison -B
Ms Mapstone -B
Mr Whysall -B
Mr White -B
Ms Collins, Cabinet Office -B
Mr Lamont, RID -B

J. McKERVILL ✓
P. SMYTH ✓
J. BLACK ✓
A. McVEIGH ✓

MR JAGELMAN - B

BEYOND THE OPENING PLENARY

Thank you for sending me a copy of the admirable draft attached to your minute to Mr Stephens of 4 July. I only have, at this stage, a few minor comments that you may regard as either pedantic or wrong-headed. These include by way of possible additional points (and quibbles):

- You may also want to mention the fact that both parts of Ireland suffer from a number of shared disadvantages (and, by implication only, where co-operation could be mutually advantageous) including "peripherality" in an EU context, relatively small and vulnerable "marginal" economies, the absence of significant raw materials, and (though I do not suggest you mention this one) rather too much rain;
- whether we should talk about "people" or "peoples" of the island of Ireland. Personally I would prefer the latter, but would settle easily on a compromise on the lines of "those living on the island of Ireland" (para 2);

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- I am not sure that the people (or peoples) do in fact share a similar historical background. Ulster has always (at least since the Iron Age) been slightly singular, and the divergence between the historical experience of the two parts of Ireland has accelerated since partition. On the other hand, unless you are being particularly nice about Irish, they do share a common linguistic background and not just a common basis of law, but a common basis of the common law (which sets everyone in these islands apart from the rest of Western Europe);

- dare I say it is that robust common law tradition that is more important (some may disagree - but let them) in protecting fundamental rights and freedoms than the ECHR? In the interests of factual accuracy I would cite both;

[Sign] - provocative but true, very close personal and economic links with Great Britain (I see no reason for ignoring such linkages in a Strand Two context) and with their large emigrant populations abroad notably in Australasia and North America.

2. Of examples of cross-border co-operation, I saw no reference to our old friend the Foyle Fisheries Commission (I am not pressing it!). But I also did not see any reference either to the shared benefits of the International Fund for Ireland or even the Irish dimension in regard to the EU Peace and Reconciliation package. To say nothing of INTERREG..... I am sure you would have no problems with the sensitive 'wearing in' required.

3. Would it also be too tendentious, if again entirely true, to suggest that the people (or peoples) on this island also share - as the overwhelming majority do - a commitment to securing political change through exclusively peaceful methods and the rejection of political violence - or is that a step too far in a paper of this kind? Similarly, given your focus on primarily transferred matters, the fact there is good existing North/South co-operation on security

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and criminal justice matters generally is worth even a passing mention in a paper which has, it seems to me, two purposes: reminding people of how much we all do have in common already; and providing an incentive, by implication to do more.

4. You and others may judge that some of these suggestions border on the politically incorrect ("not appropriate at this juncture etc etc). On the other hand, I am only suggesting some of these points for merely noting in this context, and, given that the divisions between the Strands are fairly permeable membranes, it may do no harm to recognise that reality in a paper of this nature. It is moreover a nod towards "holism," realism, and a little stimulating garlic in what might otherwise be a somewhat bland salad.....

[Signed]

Mr. L...
Mr. P...
Mr. M...
Mr. S...
Mr. H...
Mr. N...

P N BELL