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FROM: JULIE MAPSTONE
IPL
4 SEPTEMBER 1996

cc PS/Sir John Wheeler (L&B) - B
PS/Michael Ancram (L&B) - B
PS/PUS (L&B) - B
PS/Sir David Fell - B
Mr Thomas - B
Mr Legge - B
Mr Steele - B
Mr Bell - B
Mr Leach - B
Mr Watkins - B
Mr Stephens - B
Mr Hill - B
Mr Lavery - B
Mr Maccabe - B
Mr Beeton - B
Mrs Collins - B
Ms Bharucha - B
Mr Whysall - B

JULIE MAPSTONE
IPL
4 SEPTEMBER 1996

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

TALKS: HMG OPENING STATEMENT
HMG OPENING STATEMENT ON DECOMMISSIONING

I attach a revised version of the HMG opening statement for the opening plenary. This has been updated and amended from the version circulated on 10 June, and approved then by Ministers. Our handling plan aims for early deployment of such opening statements.

2. This Opening Statement is intended to be an orthodox account of HMG's approach to the negotiations. It does not, at this stage therefore, incorporate the 'warmer' language on the Union which has been put to the Prime Minister. That has got to be approved by the Prime Minister and may be something which he would prefer to save for his own use.

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3. I also attach the draft plenary statement on decommissioning. This was previously circulated as an annex to Mr Stephens' paper of 7 August, Decommissioning - Avoiding Another Impasse. It is unlikely we shall reach this next week, and some amendment may yet be required in the light of negotiations next week - but Ministers might like to know that this statement is also ready for deployment if necessary.

JULIE MAPSTONE

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4 SEPTEMBER 1996

Principles of democracy and non violence

4. 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.

5. 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.

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(4 September 1996)

OPENING STATEMENT BY THE BRITISH GOVERNMENT

Introduction

1. The purpose of these negotiations is to achieve a new beginning for the totality of relationships within and between the various parts of these islands.

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 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.

3. The British Government is determined that these negotiations 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.

Principles of democracy and non violence

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5. 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.

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6. Even very recently we have witnessed the community polarization and the divisive and damaging effects of violent action in the events arising from Drumcree. These events, where the rule of law was flouted on both sides of the community, provided a terrible glimpse of the consequences of neglecting the responsibilities of citizenship and following the undemocratic path of direct action.

7. The overwhelming need for a stable and peaceful future for Northern Ireland requires that political leaders and representatives engage in dialogue directed at finding a way to reconcile opposing positions and secure agreement on a new way forward. The only basis for these negotiations 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, and as demonstrated by the requirement that all participants affirm their total and absolute commitment to the principles of democracy and non-violence recommended by the International Body.

8. 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 urges the loyalist parties to continue their efforts to maintain the loyalist ceasefires. 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.

Principle of consent

9. 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. It reaffirms that it will abide by the democratically expressed wish of the greater number of the people of Northern Ireland on the issue of whether they prefer Northern Ireland to be part of the Union or of a sovereign united Ireland. It reaffirms its commitments in the Downing Street Declaration together

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with its obligations under international agreements and the guarantees which it has given, including Northern Ireland's statutory constitutional guarantee which states that under no circumstances will Northern Ireland cease to be part of the United Kingdom without the consent of a majority of the people of Northern Ireland.

10. The Government believes that respect for this fundamental principle of consent is supported overwhelmingly by people in both parts of Ireland. The Government 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.

11. Through these negotiations, the Government will itself stand by this fundamental principle of consent, and will urge its full adoption as the basis of a comprehensive and overall settlement.

The Government's objectives

12. Within 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.

13. 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

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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.

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

- promote the attainment of peace, stability and reconciliation established by agreement among all the people;
- 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 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.

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17. 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.

18. 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. Many also have a sense of having a specific Northern Ireland identity. A substantial minority of this community are content that Northern Ireland should remain part of the United Kingdom.

19. Northern Ireland is part of the United Kingdom, in domestic and international law, and the British Government is accordingly the lawful and democratically-constituted governing authority in Northern Ireland. The citizens of Northern Ireland enjoy the same fundamental rights and responsibilities as all other UK citizens.

20. The present arrangements for the governance of Northern Ireland are unsatisfactory in at least one important respect: they give the people of Northern Ireland less say over their own affairs than is the case elsewhere in the United Kingdom. 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. 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. 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.

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22. Any proposed settlement which addressed only internal relationships within Northern Ireland will not secure widespread acceptance across the community. A 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.

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

24. The achievement of a lasting peace in Northern Ireland requires a permanent end to all forms of paramilitary violence and threats of 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. Nor can any other forms of threat for political ends have a place in Northern Ireland, and all must forswear such threats if peace and stability are to endure.

The Government's approach to the negotiations

25. 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'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.

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26. As part of this role, the Government published in February 1995, in "Frameworks for the Future", with appropriate parts agreed with the Irish Government, its view of what a possible comprehensive settlement might look like, 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.

27. The Government repeats its determination that the structure and process of these negotiations will be used in the most constructive possible manner in the search for agreement. It affirms its commitment to the agreed rules of procedure, that it will negotiate in good faith, seriously address all aspects of the agreed agenda, and make every effort to reach a comprehensive agreement.

28. Each participant will be able to raise any significant issue of concern to them, and the Government will use its influence to ensure that all issues of concern receive a fair hearing. Participation in negotiations is without prejudice to any participant's commitment to the achievement by exclusively peaceful 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.

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. It is on the basis of working constructively to implement this and all other aspects of the Report that the negotiations should be advanced.

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placed on the parties to find a way in which the people of Northern

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 to introduce the necessary legislation and administrative arrangements to give effect to it.

NORTHERN IRELAND OFFICE

Conclusion

32. 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. They are comprehensive negotiations, designed to address all the significant issues any participant considers relevant, and the parties from Northern Ireland have a democratic mandate to participate.

33. The Government has striven to secure progress in these negotiations and will continue to participate in good faith, making every effort to encourage agreement. The disruptive and violent events during the course of this summer have demonstrated again, if further demonstration was needed, that it is overwhelmingly in the interests of the people of Northern Ireland that such agreement be achieved.

34. The crucial role in these negotiations however, belongs to 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 be achieved only by the direct engagement with each other of the representatives of the people of Northern Ireland.

35. These negotiations provide both an opportunity and an obligation: an opportunity to enter a practical process of dialogue and negotiation, and an obligation to ensure that that process is informed by the spirit of accommodation. A heavy responsibility is

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placed 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

PS/PUS (L&B)	-B
PS/Sir David Pail	-B
Mr Thomas	-B
Mr Leach	-B
Mr Bell	-B
Mr Watkins	-B
Mr Maccabe	-B
Mr Lavery	-B
Mr Stephens	-B
Ms Mapstone/Ms Bharucha	-B
Mr Whysall	-B
Mr Lamont, RID	-B
Ms Collins (Cab Office) via IPL	-B

PS/Michael Ancram (L&B)

TITLE: NEGOTIATING BRIEF ON COMPREHENSIVE AGENDA

In preparation for the resumption of the Talks I attach a self explanatory "negotiating brief" which sets out a recommended approach to the handling of the comprehensive agenda.

2. The Minister may wish to have this in mind when he sees the DUP tomorrow; and it might inform any discussion of the issue at the following day's Adare.

(signed)

D J R HILL
CPL DIVISION
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