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DRAFT LETTER FROM PAUL MURPHY

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You asked about the reference, in the paper we circulated on constitutional issues, to the British Government standing by "all the commitments and proposals" set out in paragraphs 14-21 of A New Framework for Agreement.

The status of the Framework document is well known. It reflects a shared understanding between the two Governments on the parameters of a possible outcome. As such, both Governments offer it for consideration and accordingly strongly commend it, but it is not a rigid blueprint to be imposed. As the Prime Minister said in his speech in Belfast in May, we believe it sets out a reasonable basis for negotiation. But the primary objective of both Governments is to promote and establish agreement, so both Governments will take seriously any emerging agreement which falls outside the parameters described in the Framework document. No outcome is either predetermined or excluded in advance.

A balanced accommodation on the constitutional issues is an essential element of an overall settlement. As you would expect, we approach this on the basis of the Government's fundamental commitment to the principle of consent. That fundamental commitment underpins the approach of both Governments described in paragraphs 14-21 of A New Framework for Agreement. That passage reflects a careful and balanced accommodation between the two Governments, incorporating their joint commitment to

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the principles of self-determination and consent, to an overall accommodation which is such as to secure the consent of both unionists and nationalists and to amending their respective constitutional legislation so as to fully reflect these fundamental principles and commitments.

In particular, paragraph 20 sets out the British Government's commitments as to how it approaches its responsibilities in Northern Ireland and its commitment to reflect this approach to the constitutional issues, based on the continuing willingness to accept the will of a majority of the people there, in British constitutional legislation. Similarly, paragraph 21 sets out the Irish Government's commitment, as part of an overall agreement, to introduce and support proposals for changes in the Irish Constitution which will fully reflect the principle of consent in Northern Ireland. We attach particular importance to this commitment by the Irish Government. As the Prime Minister said in his speech in Belfast in May, it must be part of a settlement and would be a helpful confidence-building step in advance of it.

It is consistent with our whole approach to the negotiations that if there seems to be an emerging consensus on a different approach to the constitutional issues (though a fundamentally different approach seems most unlikely), then we would consider this very seriously. In this area, as much as in any other, no outcome is predetermined or excluded.

Equally, it is an area where each participant comes to the table believing strongly in certain fundamental principles. That is as true for the British Government as anyone else and you would expect us to be committed to these fundamental principles.

Constitutional issues are also an area of the negotiations in which each Government must inevitably play a significant role but our aim here, as elsewhere, is an agreement adopted by the participants. We believe the approach to constitutional issues set out in the Downing Street Declaration and A New Framework for Agreement has helped to develop the potential for agreement, without compromising fundamental principles for unionists or nationalists.

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