

MADE PUBLIC

12/1/98 18.00

12 January 1998

JOINT STATEMENT BY THE BRITISH AND IRISH GOVERNMENTS

1. The British and Irish Governments have been working intensively over the Christmas break on the paper presented today. The title of the paper - **Propositions on Heads of Agreement** - accurately conveys both our intentions and the scope of the paper. First of all, what we have set down are propositions for debate and discussion. Secondly, the various elements, taken together, offer only the outline of an acceptable agreement. As can quickly be seen, these are not detailed proposals. Even if consensus were to be reached that they constituted a satisfactory package, a great deal of work would still be necessary.

2. These propositions are a basis for discussion, which we hope could help the talks participants move towards agreement. They have been tabled on our behalf by the Chairman, Senator Mitchell. There will be an opportunity to discuss the propositions at a meeting of the talks participants tomorrow afternoon.

3. The point has already been made about the difficulty of finding a generally satisfactory way of tabling proposals. But those in Government have a duty - especially in current circumstances - to take whatever steps are necessary to promote substantive political progress.

4. A second, crucial, point is that these propositions, while in the name of the two Governments, derive in a very real sense from the views of all parties on the various issues which arise in the talks - expressed both in bilateral meetings and in the round table discussions which have taken place. The possible propositions we have tabled represent our best guess at what could be a generally acceptable outcome.

5. The two Governments do not have a problem

- in clarifying certain matters, for example
 - constitutional change will include changes to Articles 2 and 3 of the Irish Constitution and to Section 75 of the Government of Ireland Act 1920 and
 - the new British Irish Agreement will embrace both the intergovernmental Council and the North/South Ministerial Council, which will operate independently in their designated areas of responsibility
- and with acknowledging that matters not directly referred to in the paper will be dealt with where it makes sense, for example
 - issues where harmonising or cross-border action is appropriate will be dealt with on that basis.

1416 PUBLIC 12.1.98
12 January 1998

The Governments wish to make clear that the position and sensitivities of the victims of violence are fully acknowledged and will continue to be taken into account where appropriate.

6. The propositions need to be elucidated in detailed discussion before parties can assess the overall impact of the proposals. We hope a discussion of the possible propositions will help participants collectively to generate a broad understanding of the key elements of a settlement and of the balances which need to be struck between those elements, and thus make it easier to engage in tough detailed negotiation on specific aspects of it. What we ask is that we now proceed to the detail and all parties make their judgement then.

A new British-Irish Agreement to replace the existing Anglo-Irish Agreement and help establish close co-operation and enhance relationships, embracing:

- An intergovernmental Council to deal with the totality of relationships, to include representatives of the British and Irish Governments, the Northern Ireland Administration and the devolved institutions in Scotland and Wales, with meetings twice a year at Summit level.
- A North/South Ministerial Council to bring together those with executive responsibilities in Northern Ireland and the Irish Government in particular areas. Each side will consult, co-operate and take decisions on matters of mutual interest within the mandate of, and accountable to, the Northern Ireland Assembly and the Oireachtas respectively. All decisions will be by agreement between the two sides, North and South.
- Suitable implementation bodies and mechanisms for policies agreed by the North/South Council in meaningful areas and at an all-island level.
- Standing intergovernmental machinery between the Irish and British Governments, covering issues of mutual interest, including non-devolved issues for Northern Ireland, when representatives of the Northern Ireland Administration would be involved.

Provision to safeguard the rights of both communities in Northern Ireland, through arrangements for the comprehensive protection of fundamental human, civil, political, social, economic and cultural rights, including a Bill of Rights for Northern Ireland supplementing the provisions of the European Convention and to achieve full respect for the principle of equality of treatment and freedom from discrimination, and the cultural