

NORTH SOUTH EAST WEST



DUP

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**NORTHERN IRELAND'S
RELATIONSHIP WITH THE OTHER
REGIONS OF THE BRITISH ISLES**

ARTICLE 1 OF THE ANGLO-IRISH ACT OF UNION PROVIDES:

"...The kingdoms of Great Britain and Ireland... shall... for ever after be united in one kingdom, by the name of the United Kingdom of Great Britain and Ireland..."

*Act of Union between
Great Britain and Ireland, 1800*

1800 → **1920** → **1949** → **1972** → **1973** → **1998** → **?**

This Act united Great Britain and Ireland in a political settlement under the crown and one Parliament.

It removed the corrupt Irish Parliament, known as Gratten's Parliament, and gave the Irish people a voice in the United Kingdom Parliament at Westminster.

The Government of Ireland Act, after violence from Irish republicans, partitioned Ireland establishing a devolved Parliament in Northern Ireland and a Dublin Parliament with 26 counties seceding from the Union but remaining in the Commonwealth.

Northern Ireland's place in the union was guaranteed by this Act. The 1998 Belfast Agreement repealed it tearing that guarantee asunder.

Following the Irish Free State becoming the Republic of Ireland and leaving the Commonwealth the Westminster Parliament passed the question of the status of Northern Ireland to the Northern Ireland Parliament.

The Ireland Act 1949 made it clear that Northern Ireland remains part of the United Kingdom and could not cease to be without the consent of the Parliament of Northern Ireland.

In practice this would have required a vote of both the House of Commons and Senate in Northern Ireland.

With the prorogation of the Northern Ireland Parliament in 1972 the role of the Parliament in determining the status of Northern Ireland also fell.

The Northern Ireland (Border Poll) Act 1972 provided for a referendum to be held which resulted in an overwhelming majority in favour of the Union.

In the absence of devolution, The Northern Ireland Constitution Act 1973 repeated the status of Northern Ireland and passed the responsibility for any change to that status to the people of Northern Ireland in a Border Poll.

In the absence of devolution this is an important safeguard for the unionist community. Such a poll was to be called by the Secretary of State but was not to take place more often than every 10 years.

No poll ever took place under this provision and it was not specifically spelt out what would happen if there was a vote for change in a Border Poll.

Following the Belfast Agreement in 1998 the position was completely destabilised.

A Border Poll would not be held to demonstrate the strength for the Union within the community but only where it was felt likely that a majority of people could vote to cease to be a part of the United Kingdom.

The gap between polls was also reduced to every seven years. Such a provision is a recipe for unnecessary instability and tension within the community.

As part of a durable settlement there must be constitutional certainty. Arrangements which will ensure that the community can have confidence for the future.

With no prospect of constitutional change stability should be maximised by accepting this reality for a generation and introducing a moratorium on Border Polls for 30 years.

In the event of functioning devolution, responsibility for the triggering of a border poll, after the thirty year period of stability should be passed to the Assembly.

INTRODUCTION: CONSTITUTIONAL CERTAINTY - THE KEY TO PROGRESS

The Belfast Agreement was not a settlement of the issues pertaining to Northern Ireland.

It was a process towards a united Ireland not a settlement within the United Kingdom. Moreover it was a charter for ongoing concessions to those associated with terrorism.

It remains the firmly held conviction of the DUP that the Union will continue to provide the firmest foundation for long-term stability in Northern Ireland. We contend that there can be no change in the status of Northern Ireland as an integral part of the UK without the consent of the people of Northern Ireland alone. It is vital that the people of Northern Ireland have confidence that the arrangements which are put in place amount to a settlement and cannot be altered without the agreement of the people of Northern Ireland.

The people of Northern Ireland will never be able to be at ease with one another until they are satisfied that their future is in their own hands. Unless there is a stable, legally enforceable framework under which all can be protected there will continue to be uncertainty.



A cast iron guarantee:
Constitutional certainty is the key to unlocking the relationships both within Northern Ireland and with the Republic of Ireland.

SETTLEMENT NOT PROCESS

Under the arrangements endorsed by the Belfast Agreement the Secretary of State for Northern Ireland has the authority to cause a referendum to be held on Northern Ireland's place within the United Kingdom based on whether he alone thinks that there may be a wish to change that status.

This action commences a seven year cycle of plebiscites. We submit that this process will breed unnecessary uncertainty and instability and damage the environment within which people in Northern Ireland can work together.

We believe that the best way in which a stable environment can be guaranteed for the people of Northern Ireland is for all the participants in the process to accept that there will be no change in the status of Northern Ireland and that the first opportunity for any referendum on the status of Northern Ireland will be in 30 years time.



SOLEMN
CONSTITUTIONAL
CONTRACT

CREATING A CONTEXT FOR STABILITY
IN NORTHERN IRELAND

SOLEMN CONSTITUTIONAL CONTRACT

There should be a solemn constitutional contract entered into by the leaders of all parties who aspire to involvement in Government whereby, without prejudice to long-term aspirations, there would be an unequivocal acceptance that the constitutional status of Northern Ireland within the Union would be unalterable for a generation and any change then would be subject to the people of Northern Ireland alone determining that change.

The reality is that there is no possibility of there being a majority of people in Northern Ireland voting in favour of a united Ireland in the foreseeable future. However, co-operation would be much more freely entered into in a context where this issue was put beyond any doubt for a given time period.

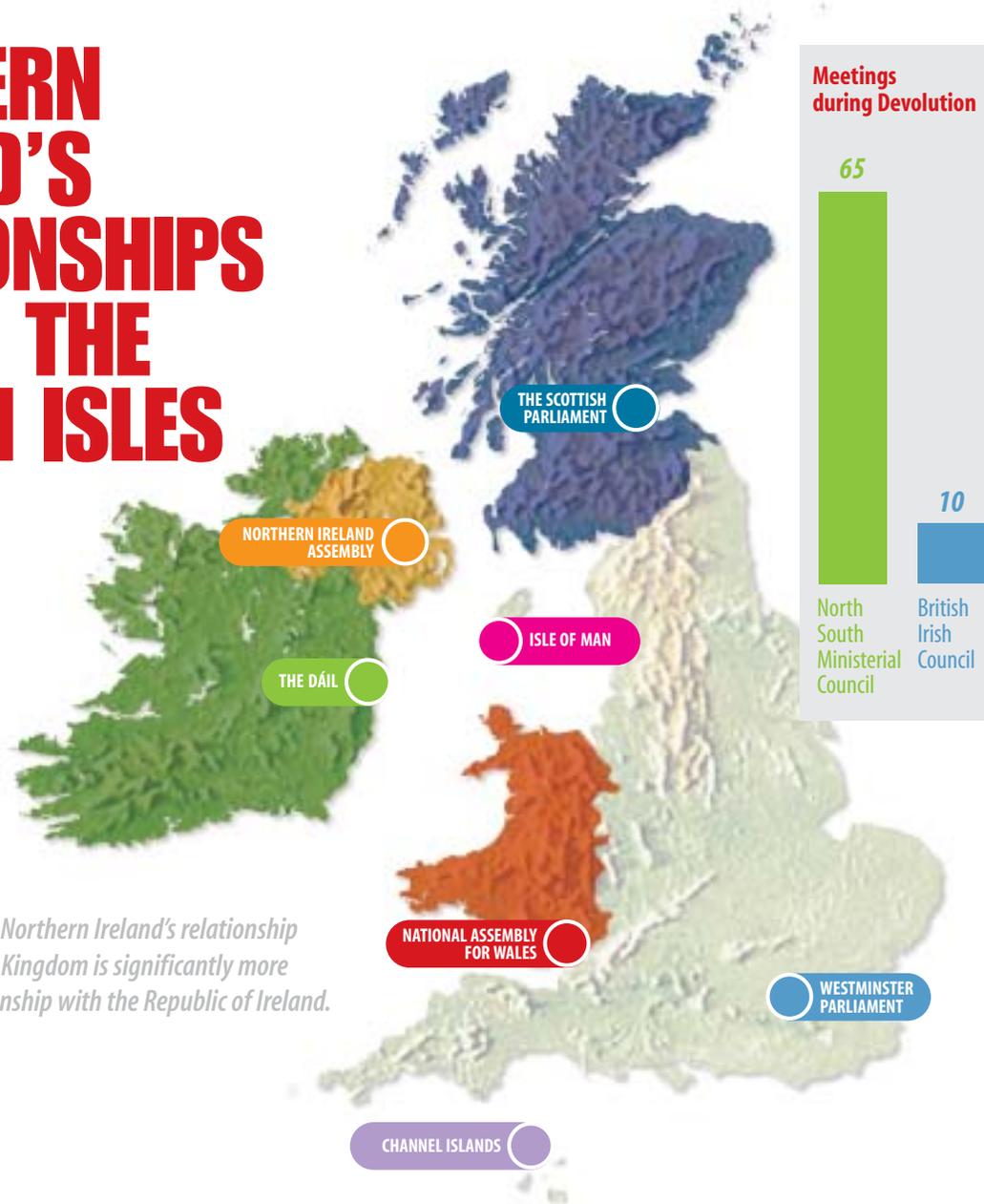
We believe that for a period of say thirty years there should be no Border Poll which could precipitate a change in the status of Northern Ireland nor any change in the agreed institutions and structures without a Key Vote in the Northern Ireland Assembly. In the event of functioning devolution responsibility for the triggering of a Border Poll after the thirty year period of stability should be passed to the Assembly

The solemn constitutional contract would create a context for stability and positive relations between Northern Ireland and the Republic of Ireland and could transform inter-party and community relationships in Northern Ireland.

Constitutional certainty is the key to unlocking the relationships both within Northern Ireland and with the Republic of Ireland.

NORTHERN IRELAND'S RELATIONSHIPS WITHIN THE BRITISH ISLES

Self-evidently to unionists Northern Ireland's relationship with the rest of the United Kingdom is significantly more important than the relationship with the Republic of Ireland.



SETTING THE SCENE

Under the Belfast Agreement the reality is that the East West relationship was secondary to the North South relationship. This proved to be the case in practice. We believe that it is in the interests of all of the peoples of the British Isles, having many common interests, to increase co-operation for the benefit of all.

There are presently two sets of Strand Three arrangements, the British Irish Council and the British Irish Intergovernmental Conference. The British Irish Council met infrequently and its role was substantially less than that of the North South Ministerial Council. Given Northern Ireland's position as part of the United Kingdom it is important that its relationships with other regions within the British Isles are properly recognised.

The British Irish Intergovernmental Conference is the successor to the Anglo Irish Intergovernmental Conference. Its failing is its isolated function involving the British Government and the Government of the Republic of Ireland alone outside the umbrella of the totality of the relationships. This has led to a lack of transparency, accountability and has at times created suspicion.

We believe that there should be a greater recognition of the importance of the British Isles context.

There has been a significant imbalance in the number of meetings on the North South axis and the East West axis. During devolution there were 65 meetings of the North South Ministerial Council and only 10 meetings of the British Irish Council.

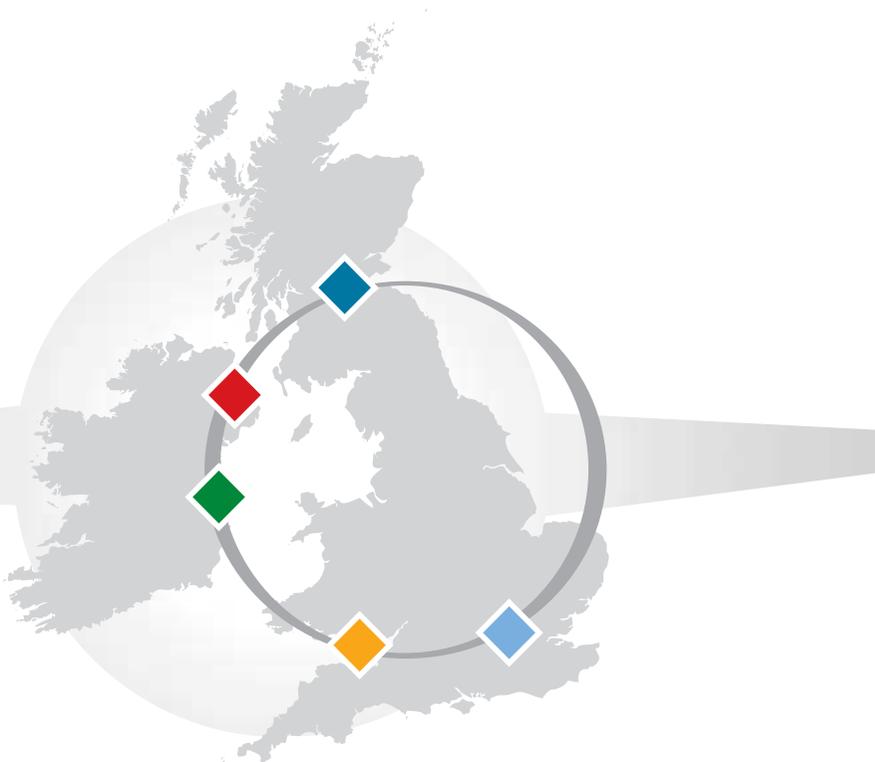
Self-evidently to unionists Northern Ireland's relationship with the rest of the United Kingdom is significantly more important than the relationship with the Republic of Ireland. This is the case not only because of the natural links between unionists in Northern Ireland and people in Great Britain but also because it is in the economic interests of all the people of the Province.

There are many issues which affect all the people who live within the British Isles and it is in the interests of all to work together. Equally there are issues which will affect only some of the regions within the British Isles, but not others. It is important that there is a suitable forum for such issues to be addressed on a bilateral or multilateral basis.

REMEDYING THE PROBLEM

As the European Union becomes more diverse in its membership and interests it will inevitably be less focussed on the needs and concerns of the British Isles. There are clearly many issues which affect the British Isles much more particularly than other parts of Europe. It is important, respecting the constitutional position of all involved, that mechanisms for dealing with such issues are devised.

The arrangements created under the Belfast Agreement did not fully meet that requirement. The appropriate arrangements, based on practical need, can however be to the benefit of all people in the British Isles



- **We propose the formation of a council** encompassing the totality of relations within the British Isles.
- We believe that the relationship between the British Government and Government of the Republic of Ireland should be **addressed within the context of the council.**
- We believe that there should be a **Secretariat** created to look after the relationships between the various regions and Governments in the British Isles. This body would be fully resourced and could organise and staff not only council meetings but also bilateral or multilateral meetings.
- **Plenary meetings** for all participants could be arranged at regular intervals to deal with issues which affect all participants.
- **The majority of the work is more likely to concern issues which affect only two or more of the areas within the British Isles.** The Secretariat would co-ordinate such contacts.
- **Given Northern Ireland's pivotal role in the British Isles this Secretariat should be based here.**
- **In the context of these arrangements a British Isles Parliamentary body should be established.**

THE RELATIONSHIP BETWEEN NORTHERN IRELAND AND THE REPUBLIC OF IRELAND

Accountability:

We will not support any relationship with the Republic of Ireland which is not fully accountable to the people of Northern Ireland through their elected representatives in the Assembly.



THE KEY TO PROGRESS – ACCOUNTABILITY, ACCOUNTABILITY, ACCOUNTABILITY

Accountability of all arrangements to the Northern Ireland Assembly and accountability of all arrangements in the Assembly is a fundamental precondition to any relationship with the Republic of Ireland. We will not support any relationship with the Republic of Ireland which is not fully accountable to the people of Northern Ireland through their elected representatives in the Assembly

A successful resolution of the arrangements concerning the internal governance of Northern Ireland (Strand One) is a critical prerequisite to final agreement on North South issues. Arrangements which are not accountable to the people of Northern Ireland will not be acceptable. However arrangements which render the relationship accountable to the people through their representatives in the Northern Ireland Assembly will create a solid basis for good interaction.

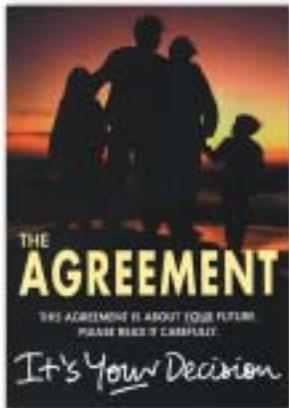
A firm foundation of mutual respect, accountability and value for money for the people of Northern Ireland will provide an environment in which the DUP will engage positively and operate agreed arrangements to consult, co-operate and implement approved action on a North South axis.

Unless there is a resolution of Strand One arrangements which ensures the primacy of the Northern Ireland Assembly in any decision making process a satisfactory resolution of Strand Two issues will be impossible.

RECOGNISING NORTHERN IRELAND'S CONSTITUTIONAL POSITION

A critical element in the relationship between Northern Ireland and the Republic of Ireland is the acceptance of Northern Ireland's constitutional position by the Republic of Ireland.

The Belfast Agreement provided that the participants to the Agreement:



"recognise that it is for the people of the island of Ireland alone, by agreement between the two parts respectively and without external impediment, 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, accepting that this right must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland;"
(Belfast Agreement Constitutional Issues paragraph 1(ii))

The constitution of the Republic of Ireland should not claim the people of Northern Ireland any more than it should have claimed its territory. This complex and convoluted formula falls short of fully respecting the constitutional position of Northern Ireland.

There must be a clear commitment to and acceptance of the constitutional position of Northern Ireland. This should be reflected not only in words but in deeds.

The role of the Republic of Ireland in recent years has been to act within the axis of the Pan-Nationalist front. This cannot continue to be the case. **If the Republic of Ireland is to play a role in the process then there is a clear onus on it to accept that the future status of Northern Ireland is a matter for the people of Northern Ireland.**

The principle of consent should make this position clear beyond any doubt.

OPPORTUNITIES FOR PROGRESS

It is important that any two neighbouring countries have a relationship which can be of benefit to both. Clearly in a situation where a substantial number of people in Northern Ireland feel a special tie to the Republic of Ireland this requirement will be particularly relevant. We believe that it is in the interest of people in Northern Ireland to co-operate with the Republic of Ireland on a range of issues.

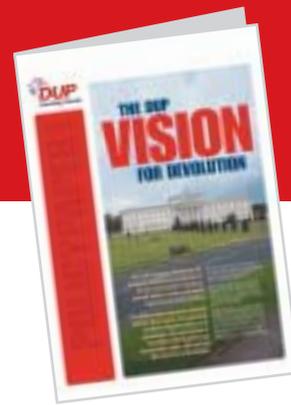
Equally, of course, Northern Ireland will be in direct competition with the Republic of Ireland on other issues. We must also be conscious of the fact that whilst what happens to the south of Northern Ireland is important, what happens to the east is in most cases more important.

We are committed to participating fully in any arrangements between Northern Ireland and the Republic of Ireland which we agree as a result of the talks process. We will seek a similar undertaking from other parties in relation to the East West relationship.



Co-operation and Competition:

In some instances, co-operation with the Republic of Ireland will be to the benefit of the people of Northern Ireland. In other instances, competition will be in our best interest.



IMPLEMENTING OUR MANDATED POLICY

Over the past few years we have made a number of policy pronouncements about our relationship with the Republic of Ireland. The full details can be found in our policy documents but the key points include -

- any relationship with the Republic of Ireland should be fully accountable to the Assembly,
- agreed arrangements must be of practical benefit and be delivered in an effective and efficient way.



FIVE TESTS FOR ARRANGEMENTS

In the talks process, in this area, we do not believe that it is beneficial to be overly prescriptive as to the arrangements which could be agreed. However, we believe that any arrangements should be judged against the following five tests -

- 1:** Are they in the interests of Northern Ireland?
- 2:** Are they of practical benefit or merely politically motivated?
- 3:** Are they accountable to the Northern Ireland Assembly?
- 4:** Do they respect Northern Ireland's constitutional position within the UK?
- 5:** Do they represent value for money?

A NEW DIRECTION - CHANGING THE STATUS QUO

The Belfast Agreement provided for two sets of institutions in this area - the North South Ministerial Council and the all-Ireland Implementation Bodies.

Our opposition to the North South Ministerial Council was, amongst other things, based on the fact that it was not accountable to the Assembly.

Ministers who attended the Council merely answered questions in the Assembly but the Assembly had no substantive role or decision-making capability.

We opposed the all-Ireland Implementation Bodies, amongst other things on the basis that they were not accountable to the Assembly and were not value for money for the taxpayer. We opposed the overall set of proposals because they were mainly driven by the desire to achieve Irish unity.

- In Strand One we proposed the creation of an Efficiency Commission. We believe a similar body should be created to consider arrangements in Strand Two and to **examine the role, remit and value for money of the existing Implementation Bodies**. This Commission should be time-limited to ensure that the issues are addressed expeditiously.
- **The membership of any existing bodies should also be reviewed.**
- **Any and all arrangements should be subject to the scrutiny of the Assembly.**
- **Nominations in the North South context would have to be agreed on a cross-community basis.** This would vary depending on which model of administration was in place in Northern Ireland.

Any and all arrangements in the North South Ministerial Council and the all-Ireland Implementation Bodies should be benchmarked against the five tests set out on page 19.

INFORMAL CONTACTS

Outside the formal institutions there were also contacts between Ministers in Northern Ireland and the Republic of Ireland.

We believe that most of our concerns in Strand Two can be resolved if our proposals for accountability in Strand One are accepted.

We contend that if all power is devolved to the Assembly, and exercised there subject to Key Votes, a safeguard is available to both sections of the community. For unionists there would be no unacceptable development of the North South institutions and no decision could be taken in defiance of the unionist community, just as the same provision presents nationalists with a safeguard within the Assembly.

PROTOCOLS

It is essential that in all dealings between the two countries proper protocols, which respect the constitutional position are established and maintained. Such protocols will help provide a smoother relationship and are not designed to hinder co-operation.

RECIPROCAL RIGHTS

We believe that there should be the same rights for people who regard themselves as British living in the Republic of Ireland as exist for people who regard themselves as Irish living in Northern Ireland. These should include cultural, language, employment and citizenship rights. This, we believe is a sensible way to proceed.

We also believe that the Republic of Ireland should establish a Consular Office in Belfast to recognise the nature of the constitutional relationship. This would be in line with the practice adopted in other regional centres within the United Kingdom.



KEY TO SUCCESS

1:

All arrangements must be accountable to the people of Northern Ireland. The reality for nationalists is that arrangements which unionists support and in which they have confidence are much more likely to produce greater co-operation between the two countries.



2:

Whilst unionists continue to seek to limit the degree of all-Ireland co-operation for its own sake or nationalists seek to maximise it for its own sake the process will not be satisfactory for either community.



3:

Nationalists should accept that whilst their views cannot be ignored in Northern Ireland, equally the views of the majority population cannot be ignored.



4:

For as long as unionists oppose arrangements which do not pass the tests set out on page 19, nationalist desires for greater co-operation in this area will be frustrated.





Our plans for internal governance are predicated on the continued functioning of the institutions in some form in all circumstances. However, as a safeguard there should be explicit recognition that any arrangements between Northern Ireland and the Republic of Ireland could not continue in the absence of devolution in Northern Ireland.

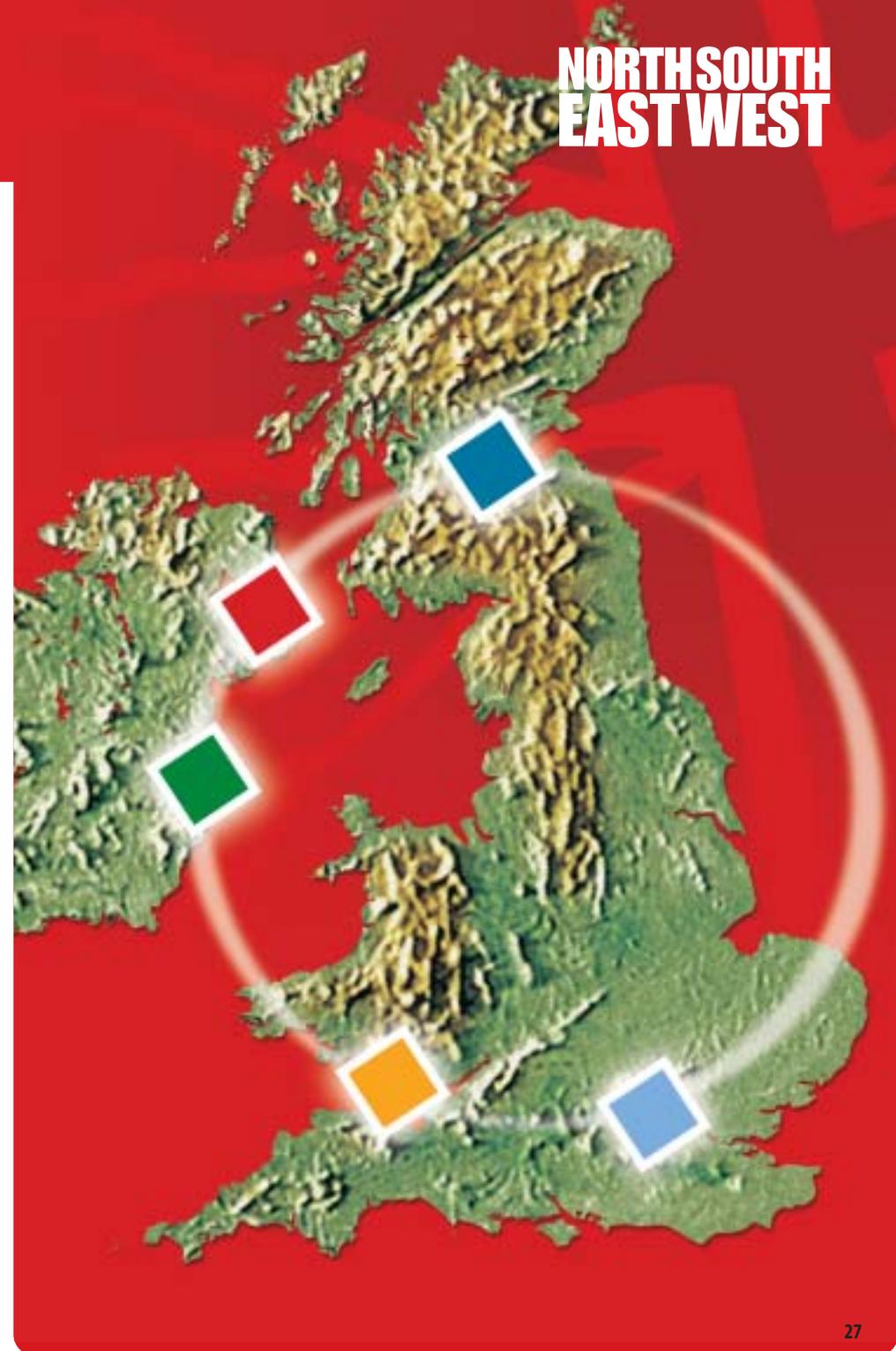
Arrangements which are agreed in negotiations then freely and willingly entered into offer the best hope to benefit the people of Northern Ireland.

The greater the willingness of the Republic of Ireland to respect and accept the position of unionists the more the relationship between the two countries can be normalised and built upon.

A major advantage of our Strand One proposals is that there would be no further suspension of devolution. We do not however believe that arrangements should function prior to any restoration of devolution.

We wish to see agreed institutions created which can provide the best environment for co-operation between Northern Ireland and the Republic of Ireland. Such arrangements will avoid the risk of frustrating the work of the institutions as occurred under the Belfast Agreement.

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