



An Chartlann Náisiúnta
National Archives

Reference Code: 2021/94/7

Creator(s): Department of the Taoiseach

Accession Conditions: Open

Copyright: National Archives, Ireland.
May only be reproduced with
the written permission of the
Director of the National
Archives.

Pat
C M
2/19

Statement by Irish Government Delegation on 18/9/92

Mr. Chairman,

1. - There has been an inordinate emphasis on the Irish Constitution in the positions adopted by certain delegations in these negotiations, and indeed outside.
- An impression has been carefully fostered in the media that this issue is uniquely prominent and takes precedence over the many other interlocking problems and concerns on our agenda.
- It may help to restore a more accurate perspective if I set out the position of the Irish Government on the issue:

All constitutional issues on the table

2. - I assume that it remains common ground between all delegations that we abide by the agreed basis for our Talks, as set out in the March 26th statement.
- That statement clearly leaves it open to any delegation to raise and pursue any constitutional issue, whether of concern from a nationalist or from a unionist point of view.
- There is no understanding, either public or private, which gives privilege or precedent to unionist concerns over nationalist concerns, as regards either the conduct or the outcome of our negotiations.

Need to address both nationalist and unionist concerns

3. - Our agreed purpose is the "achievement of a new beginning for relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands".
- That is an acknowledgement that present arrangements relating to Northern Ireland, taken together, have failed to produce general consent.
- If we are to achieve a better result we require change on all sides which addresses, in a fair and balanced way, the basic concerns of both communities.
4. - We have spoken at some length of the difficulties created for the nationalist tradition in Ireland, and the nationalist community in Northern Ireland in particular, by the impact of the Government of Ireland Act.

- We must respect the equal legitimacy of both traditions, which I believe is the only basis for an honourable accommodation between them.
- Therefore the real and actual denial of the nationalist identity has to be addressed no less intently than the perceived theoretical denial of the unionist identity in terms of the Irish Constitution.

The possibility of constitutional change

- 5.
- That is not of course to deny the pro-union representatives the right to voice their objections to the Irish Constitution, or their right to have these objections properly and fairly considered.
 - On the contrary: The logic of our position in relation to nationalist concerns, and to the Talks generally, implies an equal readiness to address unionist concerns. As the Taoiseach has repeatedly made clear, everything is on the table and nothing is finally agreed until everything is agreed.
 - We stated on 24 July that if the objectives which have been set for the present Talks were, or seemed likely to be realised, the Irish Government would give careful thought to the constitutional implications.
 - We made clear in our statement of 28 August that we do not rule out constitutional change, including change in our jurisdiction, ensuing from the present negotiations.
 - We drew attention also to the practical realities: Any change to the Irish Constitution will require the approval of our people voting in a referendum.
 - We have mentioned various factors likely to shape the judgement of the electorate in such circumstances, including the satisfactory expression of nationalist aspirations and the strength and quality of the links between both parts of Ireland.
 - If any proposed amendment is in a form, or in a context, which seems detrimental to the nationalist tradition, or to the nationalist community in Northern Ireland, it would not be carried.

- If however our negotiations achieved the basis of "a new beginning" in the relationship between the two traditions in Ireland, and if agreement on a fair and honourable accommodation between them were to entail any constitutional consequence in our jurisdiction, the Government could approach the electorate with the hope and prospect of a positive response - a response to a new agreement that would lead to peace throughout Ireland, and to reconciliation between the two traditions in our island.
- The Irish Government will base its position on these considerations as a matter of practical reality.

Nothing agreed until everything agreed

- 6.
- As I mentioned, our common position is that "nothing is agreed until everything is agreed".
 - This ensures that the concerns of every delegation - unionist no less than nationalist - must be addressed if agreement is to be reached in these Talks.
 - The proviso was inserted precisely to ensure that no delegation would feel obliged to hold up negotiations in areas where progress can perhaps be made, through fear that some other issue would thereby be neglected.
 - I would appeal to all delegations to avail of this valuable safeguard, which, in accordance with the commitments in the Statement of 26 March 1991, enables the Northern Ireland parties to participate actively and directly in the North/South discussions and enables all of us to participate in good faith and to make every effort to achieve progress.
 - It permits us to consider the context in which constitutional issues, by far the most difficult hurdle faced on both sides, can be addressed to mutual satisfaction.