



An Chartlann Náisiúnta
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20th Aug (27)

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The following is a response to propositions conveyed through normal channels. The aim is to achieve the maximum degree of understanding of the position of the Irish Government with regard to the matters of most concern to Sinn Féin and the IRA, in the event of their making a definitive and exclusive commitment to the democratic political process.

General Propositions

1. That Dublin, the SDLP and Sinn Féin should form a political consensus

The Irish Government will work in close harmony and consultation with the Northern Nationalist community through elected representatives committed to a democratic way forward. This is without prejudice to the need for the Irish Government and the Nationalist tradition in Ireland as a whole to reach out to the Northern Unionist/Protestant community, and create, by confidence-building measures, a new climate of trust and reconciliation, as a basis for a closer relationship of cooperation.

2. That a common position should be formed on practical matters (such as visas to America, security questions, marginalisation and harassment of Sinn Féin and the British Government's attitude)

In a situation where there is a definitive commitment to a democratic political strategy, the Irish Government will have no problem supporting visas for members of the Republican Movement to go out and explain that situation and major decisions to supporters in America. Ultimately, the decision on visas for each individual is for the US authorities, who have already shown that they would be sympathetic in the right conditions.

We would expect, once peace was firmly established, that Sinn Féin would be treated by both Governments like any other political party, and not be subjected to harassment or

marginalisation.

In relation to prisons, our own attitude is to favour increased remission for most PIRA prisoners serving determinate sentences, with special sentence reviews for the remainder, such reviews to be conducted within 12 months for all concerned.

Our general approach to all security questions will be to do and to favour whatever will most contribute to consolidating peace, without violating the requirements of justice. We will seek to influence the British Government to adopt an enlightened attitude to all such questions.

3. Formation of an agreed common negotiating position

One of the main purposes of the Forum for Peace and Reconciliation, which is essentially a consultative body, is to formulate as far as possible common negotiating aims among the participating members.

As stated in the original draft terms of reference for the Forum, the operation of the Forum will operate with full respect for the authority of the institutions established by law in the State.

The Irish Government's broad negotiating aims in the talks process have already been communicated. The two key principles are the establishment of equality and parity of esteem between the two communities in Northern Ireland, and the creation of North-South institutions with executive powers as well as harmonising and consultative functions.

This position can be further developed in the Forum.

Questions of demilitarisation will be the subject of separate bilateral consultation between those concerned, and the two Governments.

4. Full use of the international dimension

The Irish Government have in recent years developed broad-based support abroad for its policy objectives, relating to Northern Ireland. The Government will seek to create maximum understanding for Irish objectives abroad, both among friendly Governments, and in ethnic communities, as well as amongst world opinion at large. This tends to be most productive when harnessed to specific objectives (e.g. in recent years, fair employment, alleviation of deprivation in border areas).

The Government would not regard it as productive, however, to engage in an old-fashioned anti-partition campaign, in lieu of trying to persuade Unionists directly of the merits of an all-Ireland approach.

Political Principles

A. Peace to be sustained must be based on a just and lasting settlement

The Government's aim is a just and lasting settlement, which is the only firm foundation of peace. We do not accept, however, even in the absence of such a settlement, that the use of violence will do anything to advance the cause of justice.

B. Partition has failed to provide a lasting settlement

It is manifestly the case that the experience of partition to date, whether under Stormont or direct rule, has failed to provide a lasting accommodation or settlement that commands enough cross-community support to give stability. Indeed, the two Governments are agreed that the absence of a lasting and satisfactory settlement of relationships between the peoples of both islands has contributed to continuing tragedy and suffering. Pending the establishment of a united Ireland by consent, the search must continue for a broad-based measure of agreement on a

new political framework founded on consent and encompassing arrangements within Northern Ireland, for the whole island and between those islands.

C. Present Structures are inadequate to sustain peace and must be changed.

The Taoiseach said in his Oxford Union speech of 27 May 1994 that the status quo cannot be maintained, and accordingly that, by definition, change must come, by consent. If it is to succeed in bringing the sides together, change must recognise the legitimacy of each. Without detracting from those imperatives, however, acceptance of the inadequacy of present structures to sustain peace should not be taken to imply that such inadequacy justifies, the use of violence, as opposed to the use of all legitimate political means to bring about change.

D. An internal settlement is not a solution

The Taoiseach and the Irish Government have repeatedly stated that they do not regard a purely internal settlement as a solution and that all relationships have to be addressed. That is the basis of the current talks process. Going back to the Forum Report (Para. 4.16), there is a broad political consensus among Nationalists North and South on this point.

E. Partition and continuing British jurisdiction is a breach of the principle of national self-determination.

The historic act of partition was a clear breach of the principle of national self-determination. That original breach has not up to the present been repaired. Consequently, de jure recognition of British jurisdiction in the North under the Irish Constitution has been withheld. Self-determination is exercised, at the moment a people and territory win independence. At this distance in time, with the division of Ireland into two parts long

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established, and widespread acceptance that change can only come about by consent, a new act of self-determination is necessary, which can only be exercised concurrently, and provision is made for it in the Joint Declaration.

- F. The Irish people have an absolute right to national self-deamination and must be able to deal with this freely and without external impediment.

Art. 1 of the Irish Constitution states an unqualified or absolute right to national self-determination. The Irish people have a right to reach agreement among themselves about its exercise freely and without external impediment, and this is acknowledged by the British Government in the Joint Declaration. The Irish Government and State are however bound by obligations under international law, including both the Anglo-Irish Agreement, the CSCE and the UN Charter, to respect the principle of consent of the people, where constitutional change or a change of jurisdiction is involved, and to resolve disputes by exclusively peaceful means (Art. 29 of the Irish Constitution).

- G. The exercise of self-determination must be for agreement between the Irish People alone.

This has acknowledged by both Governments. The British Government have, at the behest of the Irish Government, acknowledged that it is for the people of the island of Ireland alone, by agreement between the two parts respectively, to exercise their right of self-determination, on the basis of consent, freely and concurrently given, and have promised to give effect to this or equally to any measure of agreement on future relationships in Ireland which the people in Ireland may themselves freely so determine without external impediment.

The Taoiseach for his part has accepted, on behalf of the Irish Government, that the democratic right of self-

determination of the people of Ireland as a whole must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland. Agreement on the way in which the right of self-determination could be exercised by the Irish people in the future, as set out in the Declaration, has been endorsed unanimously by Dáil Eireann, and also has the support of parties constituting more than half the electorate in Northern Ireland.

H. The Irish and British Governments in consultation with all parties should bring this about in the shortest time possible and legislate accordingly

The achievement of a new agreement among all the people of Ireland in the shortest time possible is the aim of both Governments, who will introduce the necessary legislation to give effect to such an agreement.

I. Unionists can have no veto over discussions, nor over the outcome of those discussions

No party can have a veto over negotiations and discussions, or over their outcome. As John Hume has stated, both communities in practice have a veto over any agreement, and can withhold consent from any structures either existing or proposed. All parties have from time to time exercised this right.

In the view of the Irish Government, the need to consolidate peace will put great public pressure on all parties to come to the table to hammer out a new agreement. If parties default, it will be the responsibility of the two Governments, using the instrument of the Anglo-Irish Agreement, to ensure continuing political progress and progress on matters of concern to both communities. It will be the role of the Nationalist tradition as a whole to do everything reasonable to encourage the Unionist community to participate fully in negotiations, with a view

to achieving an agreement freely arrived at between the Northern parties and the two Governments.

- J. There is a need to engage Northern Unionists/Protestants on the subject of the democratic principle of national self-determination, and to persuade them that their civil and religious rights are secure and of the need for their future to build Irish society based on equality and national reconciliation.

In the view of the Irish Government, Northern Unionists/Protestants will only engage in an exercise of self-determination, on the basis that the principle of consent is recognised. The Government fully accept the need to guarantee their civil and religious rights, and are fully committed to building an Irish society based on equality and national reconciliation.

- K. A solution/negotiated settlement requires political and constitutional change, to bring about the exercise of our national right to self-determination.

The need for political change and for a balanced constitutional accommodation as part of an overall settlement has been clearly acknowledged by the Irish Government. Any consequent agreement will be put to the Irish people, North and South, and will therefore constitute an exercise of self-determination.

- L. A unitary and independent Ireland is the preferred option.

The Forum Report subscribed to by the four main Nationalist parties states that unity in agreement would offer the best and most durable basis for peace and stability, and that the particular structure of political unity which the Forum would wish to see established is a unitary State, achieved

by agreement and consent, embracing the whole island of Ireland and providing irrevocable guarantees for the protection and preservation of both the unionist and nationalist identities.

It also envisages other options, notably a federal/confederal State. The Irish Government have recently made it clear that they are not pursuing joint sovereignty/joint authority as an imposed model (but not excluding that it might be an agreed one). In the Forum Report, the parties also state that they remain open to discuss other views which may contribute to political development.

- M. An agreed Ireland is only viable if it can command the allegiance of different traditions by accommodating diversity and providing for national reconciliation.

The Taoiseach, on behalf of the Irish Government, has made the same point in the Joint Declaration, when he states in para. 5, "that the lessons of Irish history, and especially of Northern Ireland, show that stability and well-being will not be found under any political system which is refused allegiance or rejected on grounds of identity by a significant minority of those governed by it".