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Reference Code: 2021/102/4

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PAPER by the UDUP

RELATING TO AGENDA ITEM 9

"Possible Institutional Arrangements to meet the requirements
(including principles to govern any such arrangements)".

In its Paper of 28 August 1992 entitled "**A New Start**" the Ulster Democratic Unionist Party addressed the issue of the relationship between a new Northern Ireland administration and the Government of the Irish Republic. In that paper we indicated that if the Government of the Irish Republic expressed a commitment to remove its *territorial claim* to Northern Ireland it would be possible for us to contemplate and negotiate arrangements which at present we can not. We believe there has been an inordinate emphasis on institutional arrangements in the positions adopted by certain delegations in these negotiations. There is no indication, either public or private, which gives privilege or precedent to nationalist concerns over unionist concerns as regards either the conduct or the outcome of our negotiations.

Our agreed purpose is the achievement of "**A New Start**" for the relationship between Northern Ireland and the Irish Republic. That is an acknowledgement that the present relationship is unsatisfactory. While nationalists have repeated the respects in which it has failed to produce their consent, to unionists it is defective due to the failure of nationalists to accept the abiding reality that Northern Ireland is, by the freely expressed wish and desire of its people, an integral part of the United Kingdom.

In short we must respect the equal legitimacy of both States on the island to exist. This we believe is the only basis upon which agreements can be built and for an honourable accommodation to be realised. Therefore the real and actual denial of the status of Northern Ireland as part of the United

Kingdom by the Nationalist community can be given no less priority than the perceived theoretical denial of the Nationalist identity. This is not of course to deny the Nationalist representatives the right to voice their concerns or to have them properly and fairly considered. On the contrary, the logic of our position in relation to unionist concerns, and to the talks generally, implies an equal readiness to address nationalist concerns. As Unionists have repeatedly made clear, these important issues are on the table and nothing is finally agreed until everything is agreed.

We stated in our paper of 28 August that if the objectives which have been set for the present talks were, or seemed likely to be realised, the UDUP would give careful thought to possible institutional arrangements. We do not rule out such a consideration. We draw attention to the practical realities: Any such possible institutional arrangements will require the approval of our people voting in a referendum. In such a plebiscite the factors likely to shape the judgment of the electorate, would include a satisfactory recognition of the status of Northern Ireland as part of the United Kingdom and the clarity of any proposed change to the Constitution of the Irish Republic which would be intended to remove the territorial claim.

If however our negotiations achieved the basis of "a new start" in the relationship between Northern Ireland and the Irish Republic, and if agreement on a fair and honourable accommodation were to entail possible institutional arrangements along with an unambiguous determination of Northern Ireland's status within the United Kingdom, Unionists could approach the electorate with the hope and prospect of a positive response. Unionists will base their position on these considerations as a matter of practical reality.

We would appeal to all delegations to avail of the valuable safeguard - nothing is agreed until everything is agreed -

which, in accordance with the statement of 26 March 1991, enables the nationalist delegations to participate actively and directly in the discussion on the principle of expressing the status of Northern Ireland as part of the United Kingdom in unambiguous terms, and seriously addressing the matter of the removal of the Republic's territorial claim to Northern Ireland, 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 possible institutional arrangements can be addressed to mutual satisfaction.

Strand 2

The relationship between a new Northern Ireland
administration and the government of the Irish Republic.

A NEW START

A Paper submitted by the
Ulster Democratic Unionist Party

28 August 1992

The Real Thing

The past few months must have told us all that we are unlikely to agree a common version of history but in spite of our own angle of historical vision we can at least accept that the fears, suspicions, uncertainties, convictions and perceptions expressed by "the other tradition" are truly felt and experienced.

The Key Issue

We must therefore ask you to accept that Unionists see the great obstacle to good relations between Northern Ireland and the Irish Republic as being the existence of the territorial claim to Northern Ireland contained in the Irish Constitution. It hardly needs to be explained how unionists consider a territorial claim to the land of their birth as an unlawful, criminal and immoral act, and one that stands in the way of the construction of a good relationship.

If our two countries were to sit side-by-side, in continuing hostility, then unionists would condemn the territorial claim but they would not require it to be removed. If, on the other hand, we are to establish a proper neighbourly relationship between Northern Ireland and the Irish Republic, as we earnestly wish, then the removal of that claim is not just a matter for consideration but an imperative.

Removing The Wall

It would be a positive starting point for our deliberations if the government of the Irish Republic expressed a commitment to remove the territorial claim which offends us so deeply. We can only say that the removal of this obstacle would bring about a completely new atmosphere which would transform relationships between us. In those circumstances, arrangements would be possible which we could not at present contemplate or negotiate.

Political Realities

However, if, having weighed up the politics of the issue as it appears to them, the Dublin Government feels this is not a course they can at this time follow, then it would be better that we knew it now and avoided a further deepening of the animosity that has for so many years existed between our two countries. We will have to accept their judgement in the matter as they deem it to affect their position, but we cannot say more clearly that no unionist can proceed any further without such a change.

The UDUP delegation will not make the mistake of unionists in the past. Any proposals which do not flow from the abolition of the territorial claim no unionist leader could retail to his people even if he wanted to.

Ultimately such a constitutional change must be the decision of the government and people of the Irish Republic, so the delegation from

Dublin has the key to progress. They can continue to live the fiction that they have jurisdiction over Northern Ireland or they can open the door to a new chapter in relations between our two peoples. We trust that they can meet this challenge. Unionists stand ready to respond in the new mood that would be created. When the government of the Irish Republic unilaterally indicates its willingness to sponsor the necessary legislation to remove the territorial claim, unionists will gladly and freely respond by supporting an agreement which embraces the new, friendly and neighbourly relationship that would then develop.

A British Irish Agreement

In the expectation of a positive response it might be helpful if we were to confirm the view we expressed in Plenary that unionists see a new relationship being on an all-encompassing British-Irish axis, albeit compartmentalized to satisfactorily deal with matters which could be more appropriately considered in that way.

Such a relationship would involve HMG, the leading representatives of a new Northern Ireland Assembly (probably through the External Relations Committee) and the government of the Irish Republic.

Identities

In the Strand 1 talks the DUP argued that the identities of the two main traditions in Ulster "reach out beyond the confines of Northern Ireland

itself". The British-Irish umbrella provides a covering under which each of our identities can find security. If we are seriously attempting to find a basis under which we can form a relationship which does not exclude either identity and is built on mutual respect, reciprocity and good-will, then we contend that it should be upon a **British-Irish** basis. The unionist community's identity is not catered for by the term **Anglo-Irish**.

Positive Functions

It seems to us that the terms of reference of the new arrangements need not be expressly prescribed in advance and should permit natural development. As a general rule, the purpose should be to encourage, promote and develop improved relations between the interests represented. It would provide a basis for consultation with a view to advancing co-operation for the mutual benefit of the parties to such a new agreement. Needless to say, we are keen that arrangements can be made to ensure no part of these Islands is a safe haven for terrorists.

The relationship would be based upon reciprocity, and agreements reached through its auspices would be implemented through the respective governments. Unlike any previous arrangement, unionists would participate within this British Irish frame-work. We contend that it must be of practical benefit and neither be, or be seen to be, solely political. In addition all decisions must be unanimous.

A New Start

Our hope is that the removal of the territorial claim and the creation of contact consistent with a normalising of neighbourly relations, would develop a new spirit of cordial cooperation and friendship, bringing a united effort for the common good. Such a process must inevitably tend to remove prejudices and allay anxieties and to promote better understanding.

The divisions between the two traditions in Northern Ireland are very deep and we cannot estimate to what extent, if any, such new understandings as we have mooted might valuably assist in reducing or eliminating the distrust that has flowed from this division. However, we were asked by the SDLP to consider how we might provide for an outlet within which they might express their identity. **It seems to us that this represents the limit that can be reached, consistent with the constitutional reality which every delegation has acknowledged.**

We contend that such a development has the potential of being a turning point in Irish history, and we stand ready to make a sincere and generous contribution to the ongoing cooperation.

We desire that we might live as two countries on this island at peace and in friendship, respecting each other's right to exist and cooperating to our mutual advantage.