

From: THE PRIVATE SECRETARY



NORTHERN IRELAND OFFICE

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Dear Joan

I attach a draft speech for the Lord President in next Tuesday's debate in the Lords.

As you know events are moving rapidly and we may well advise the Lord President to amend the speech before it is made. We have taken account of your suggestions for the opening paragraph of the speech. We hold the speech on a word processor and we would be happy to amend it in the light of the Lord President's comments.

I am copying this letter and attachment to Charles Powell (10 Downing Street), Len Appleyard (Foreign and Commonwealth Office) and Michael Stark.

Yours sincerely
J A Daniell

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DRAFT SPEECH ON ANGLO-IRISH AGREEMENT FOR THE LORD PRESIDENT

[My Lords, it would be easy for me to look back, to recount my experiences as the first Secretary of State for Northern Ireland, instead of looking to the future. But it would be wrong. We must look to the future. We must build and not destroy. Neither the people of Great Britain nor the people of Northern Ireland can afford the luxury of destroying, or living in the past.] I am therefore pleased to seek the approval of this House to the Anglo-Irish Agreement which was signed on Friday 15 November by the Prime Minister and the Irish Taoiseach. I believe that this Agreement marks a useful step in Anglo-Irish relations, it offers a substantial opportunity, a chance to build, to the people of Northern Ireland, both Unionist and Nationalist. It can contribute significantly to the aim which we all share of peace, stability and prosperity in Northern Ireland.

I am sure Noble Lords will by now have had an opportunity to read this Agreement and to consider it in some depth. If so it will be clear that it is not the Agreement some have made it out to be. It is not "joint authority" by some other name; it does not give the Republic of Ireland a veto over the exercise of our powers and responsibilities in Northern Ireland; and above all it does not derogate from our sovereignty.

But neither is it, as some have argued, an Agreement which will change nothing. Of course it will not solve all Northern Ireland's problems. But we hope that it will change things in Northern Ireland, in a measured and responsible way, in the direction which successive Governments have wished to go.

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In that direction lies, in the words of the Agreement, a "society in Northern Ireland in which all may live in peace, free from discrimination and tolerance and with the opportunity for both communities to participate in the structures and processes of government".

Underlying this Agreement is a commitment by both Governments to recognise and acknowledge the rights and identities of the two traditions which exist in Northern Ireland; on the one hand the Unionist community, the majority, who consider themselves British and wish to retain the link with Great Britain; on the other hand the Nationalist community, who think of themselves as Irish in identity, and aspire to eventual Irish unity. The present Agreement offers important safeguards to both these traditions.

The two Governments have affirmed that any change in the status of Northern Ireland would only come about with the consent of a majority in Northern Ireland, and that the present wish of a majority there is for no change. Sovereignty remains with the Westminster Parliament and responsibility for the government of Northern Ireland remains with United Kingdom Ministers accountable to Parliament. This Government has always been firmly committed to that and the Agreement only reinforces it. For what we have for the first time from the Irish Government in a binding international agreement is a clear statement on the status of Northern Ireland, an acceptance of the principle of consent; and a recognition of the present view of the majority. This is clearly set out in Article 1. There are no ambiguities. We have not wavered over our commitment - there need be no further misapprehension or uncertainty among Unionists.

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On the other hand, if at some future date a majority of the people in Northern Ireland were to consent formally to a united Ireland, the Agreement makes clear that the Government would introduce and support legislation in Parliament to that effect. Against this background Unionists should have the confidence - in the words of the "Way Forward" published last year by the Ulster Unionist Party - to persuade the minority that the Province is also theirs.

But we cannot make progress towards reconciliation in Northern Ireland - and that is the main essence of the agreement - unless we can also reflect, understand and take account of the minority viewpoint. We cannot ignore the voice of the minority community any more than the voice of the majority. We need to create conditions which will provide the minority with the confidence that they have a role to play in the affairs of Northern Ireland. It is here that the Irish Government has a vital contribution to make.

The Irish Government has an interest in the affairs of Northern Ireland. It shares a border with the United Kingdom. But more importantly many in Northern Ireland feel part of a wider Irish community, and Irish politicians naturally share their concerns and reflect their views. Indeed the Irish Government already raises with us many questions about events in Northern Ireland, particularly where they affect the minority community. What the Agreement will do is that it will formalise this procedure so that the Irish Government's views and proposals can be taken into account in a more structured and methodical way. It is not new, therefore, for us to receive Irish views. What is new is that they will be put to us - and we will listen to them - in a more constructive way.

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I will now explain briefly how the Agreement sets out to achieve this. It provides in Article 2 for the establishment of an Intergovernmental Conference. This will extend and build upon the framework of the existing Anglo-Irish Intergovernmental Council. The Conference will serve as a framework within which - I quote from the Agreement itself - "the United Kingdom Government and the Irish Government work together for the accommodation of the rights and identities of the two traditions which exist in Northern Ireland; and for peace, stability and prosperity throughout Ireland by promoting reconciliation, respect for human rights, co-operation against terrorism and the development of economic, social and cultural co-operation."

The Conference will deal on a regular basis with matters relating mainly to Northern Ireland - on political issues, security and related matters, legal matters including the administration of justice and the promotion of cross-border co-operation. We are committed to consider carefully these views and to make determined efforts to resolve any differences. That means neither that we are obliged to accept the suggestions that are put to us by the Irish, nor that the Irish are granted a veto. It means simply that we will try our hardest to reach agreement. But we are realists. If there are differences, it will remain the clear responsibility of the British Government to take the final decision.

We welcome this arrangement on two accounts. Firstly it will enable the Government better to take account of the minority views. It creates conditions whereby the minority community can be confident that they have a vital role to play in the affairs of Northern Ireland; and we hope too that it will increase their confidence in the institutions of Northern Ireland.

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Secondly we welcome it because it provides a new framework for more effective co-operation in a wide range of economic, social, cultural and security matters. Our foremost priority in Northern Ireland must be the complete eradication of terrorism which has menaced both islands now for many years. Cooperation with the Irish Government is good. But there are areas, spelt out in Article 9 of the Agreement, where it can be enhanced. We therefore very much welcome the Irish Government's commitment in the Agreement to work with us to ensure that those who adopt or support violence do not succeed. We hope to make early progress against terrorism which is to the benefit of all the people of Northern Ireland. We look forward to tackling this problem with the Irish. We also welcome the Irish Government's intention announced in the Communique to accede as soon as possible to the European Convention on the Suppression of Terrorism.

In addition to improving security co-operation we also need to make greater efforts to improve relations between the minority community and the security forces and to enable the minority community to have full confidence in the judicial system in Northern Ireland. The confidence of all law-abiding citizens in the security forces and the courts is essential if they are to be wholly effective in upholding the law and in dealing with terrorism. The security forces in Northern Ireland are already highly esteemed throughout the United Kingdom for their dedication, bravery and professionalism and I would like to take this opportunity of paying a special tribute to them. I should add also no less a tribute to the judiciary who in the most difficult circumstances have maintained the standards of impartiality and integrity of which we are proud. But there remains a problem of confidence amongst the minority community. It cannot be wished away and must be tackled.

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The Intergovernmental Conference will be one way in which we can do this. Article 8 mentions, as one possible approach, the idea of mixed courts. We have undertaken to consider this possibility without commitment. But we have made it clear, and I will repeat now, that we cannot see any easy or early way round the very considerable difficulties in the way of that particular proposal.

Relations between the security forces and the minority, cross-border security co-operation and other aspects of security are issues which will be considered in the first meeting of the Conference. I cannot say when that will be. But we hope for an early meeting.

Let me now say something about the response to the Agreement from some Unionists. They have taken bitter exception to the granting of a role to the Irish Government in the consideration of the affairs of Northern Ireland. The claim that it is unprecedented. And that is in itself a breach of sovereignty. But my Lords, the situation in Northern Ireland, the divisions and conflicting aspirations there, and the relationship that exists between the minority community there and the Irish Government - all these are unprecedented. There is no breach of sovereignty because the final decisions rest with us. Indeed there is no threat in the Agreement. What there is is the opportunity to extend and deepen our relationship with Dublin. For only if there is mutual support and understanding can we ever hope to solve the problems of Northern Ireland that have caused so much agony over the years. I repeat to the Unionists, there is not a threat. It is unique, yes. But it is also essential if we are to solve the unique problems that we face.

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The Agreement is not a complete solution to the problem of Northern Ireland. The arrangements set out in the Agreement do not represent an alternative to the search for devolution: indeed the Agreement reaffirms both Governments' commitment to find an acceptable form of devolved administration in Northern Ireland - and that means one which would secure widespread acceptance throughout the Community. We want the people of Northern Ireland to take over responsibility for the everyday decisions which affect their lives but there needs to be agreement across the community.

Both Governments however recognise that devolution can be achieved only with the co-operation of constitutional representatives within Northern Ireland of both traditions there. We hope that the Agreement will encourage the elected representatives of both communities to come together to discuss arrangements for forming a devolved structure acceptable to both. And should a devolved administration be established, the Intergovernmental Conference would cease to consider any matters which would become the responsibility of a new local administration.

My Lords, no single Agreement will solve all of Northern Ireland's problems. I know from first hand experience the complexities of the situation in Northern Ireland, the depth of divisions and the magnitude of the task in trying to reach a solution. I have learned that progress can only be made slowly, one step at a time. I firmly believe that this agreement offers an important step in the right direction - it offers a unique opportunity to make real progress towards reconciliation between the two communities in Northern

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Ireland and to tackle cross-border terrorism in an unprecedented and determined way. It contains reassurances for both communities that their rights will be safeguarded and we would hope that their identities can be mutually respected. It will create an improved climate of friendship and co-operation between the United Kingdom and the Republic of Ireland. It is thus in the interests of the people of Northern Ireland that we do not let this opportunity pass.

My Lords, I commend the motion to this House.