

The SDLP welcomes the consultation by the Constitution Unit of UCL further to the mandate of Working Group on Unification Referendums on the Island of Ireland. The SDLP believes that the output of the working group and a number of ongoing studies and initiatives can help scope and sharpen thinking on multiple issues relevant to the future of Northern Ireland, and the whole island of Ireland, including "how any future referendum on the constitutional status of Northern Ireland... would best be designed and conducted."

Before responding to questions and issues raised in the consultation the SDLP wishes to make a number of observations on the current context and general themes. The SDLP submits that the context needs to be acknowledged and themes by addressed governments, parties and people if the next phase of our history is to be navigated with success and stability. This is not a time for slogans.

The Church of Ireland Archbishop of Armagh and



The SDLP repeats its welcome for the formation of the "Shared Island Unit" as part of the Office of the Taoiseach, Government of Ireland. In the negotiations for the formation of the current Irish Government the SDLP Leader submitted a paper detailing proposals about how the Unit would address its responsibilities in particular and North-South and East-

There is a danger that London may go on further solo-runs. Some in unionism urge London to call the bluff on a border poll, do it early before the "facts of life" have been rigorously interrogated and then park unity for a generation. Some may even think do Ireland first to go to derail Scotland later. When it comes to the constitutional future of N. Ireland as is detailed later in this submission there is a requirement for "no external impediment" in the exercise of a decision. It is entirely feasible that, as legacy has recently demonstrated, this too could be abandoned by London around a border poll with others left to pick up the pieces.

The SDLP consider it is vital that voices are raised to name this issue and to affirm processes that have been proven to work best and have helped to create confidence.

An Irish unity referendum is, unlike any future vote on Scottish independence and the nature of the UK's relationship with the EU, permanently provided for in the UK statute book. This is a reflection of the fundamentally different category of question that this is: unlike Scottish independence or indeed relations with the EU, the UK is bound to honour the right to a referendum, and to uphold certain obligations even after a vote for a sovereign united Ireland.

The SDLP share the concerns about the conduct of safe and fair referendums particularly with the Brexit experience, "foreign interference" and the need to regulate online campaigning. The SDLP submits that the British and Irish Governments take forward advice from a range of authorities on how in statute, policy and resources these issues can be remedied. The SDLP further believe that the Electoral Commission should be tasked or task itself to make ready whether or not a referendum in any jurisdiction is called and to address the experience and the fault-lines of the Brexit referendum including within its own mandate.

In response to the questions and related matters raised through the consultation the SDLP submits as follows.

**THE EXERCISE OF THE STATUTORY DUTY:** It is important that the duty on the Secretary of State to call a referendum if it "appears likely to him that a majority...would...wish that Northern Ireland should cease to be part of the United Kingdom and form part of a united Ireland is understood clearly and interpreted properly."

Like the Constitution Unit, the SDLP recognise that the terms specifS5 842 Tf217 (dC72.025 500.6/ (t)-5 (4P5(po)7 (r)8

BREXIT: There also needs to be respect for the reality that the fact and manner of Brexit imposed against the wishes of people here has given added currency to debate on the optimal constitutional

opinion, with appointment agreed by BIIG and advice given on a 'no prejudice' basis and once agreed, published on the NIO website. Moreover as with the Edinburgh Agreement on a referendum on independence for Scotland between the London and Scottish Governments, there should be a London/Dublin Agreement at the appropriate time on referendums in Ireland on Unity or Union in order to create certainty, honour the provisions of the Good Friday Agreement and to best shape processes and politics.

THE NEW GENERATIONS: as detailed later the SDLP believes the voting age for a future referendums should be reduced to 16 years. This particular measure serves to highlight the wider issue of the general participation of new generations in the work of shaping the future island. Inclusion in the discussion and input on referendum issues should be a further factor in decision-making.

The SDLP therefore submit that a suite of different measures is necessary to inform how a referendum process might be triggered which would be quantitative, qualitative, deliberative and inclusive in character. The SDLP strongly emphasises, given the approach of Downing Street on a range of issues noted above (en)2eli10(8 (an)4(r)8 TQq0 w)10 5 842 reW\*ñ issd be a further factbtision

(5) As a party who want to secure a democratic choice for a united Ireland under the Good Friday Agreement, the SDLP are mindful that all of us who do so should approach such a referendum without presumption, prejudice or predicament. For ourselves and for all citizens, we will want confidence that there are understood pathways for proceeding on the basis of a vote for a united Ireland consistent with any terms and promises attached to that option in an official campaign. That will require detailed groundwork, across and beyond parties, to prepare a clear, positive and credible prospectus for unity that would sustain the previously agreed protections in the Agreement.

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to gather insight, encourage collaboration and co-design. The approach should be inclusion max. reaching the full diversity of opinion and region on the island. The SDLP further believes that measures for the participation of non-resident Irish citizens in particular and people with Irish heritage or otherwise a commitment to the island and its people generally should be provided for.

(7) The questions and demands of each prospectus will touch on fundamental public policy priorities; the quality of public services and access to them; fiscal burdens and public finances; the strength and shape of the economy; challenges and opportunities across different sectors; infrastructure priorities and pressures; what governance changes might they see, when and will these affect individual rights or communal relations; a stronger platform for climate action; will structures and protections of GFA endure and how can they be adjusted in the context of a new constitutional status; what is the pathway beyond the referendum in terms of both change and stability.

The SDLP would raise in particular the benefits or drawbacks of returning to all-Ireland membership of the EU on a new basis, an assessment of how the EU authorities would assist in this regard and the trading and other relationships with Britain.

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Those who advocate unity by consent on GFA terms have accepted the possibility that a majority in the South may not see their democratic wish fulfilled. They should not be asked to accept that majorities North and South might be nullified.

There has been some argument that "parallel consent" should be needed for a united Ireland. This cannot be the threshold for one legitimate aspiration but not the other. Parallel consent is a sometimes applicable test in Assembly decisions based on counting MLA votes with reference to