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Prime Minister

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PRIME MINISTER

*You will want to read the note on
institutional structures (Annex A). I doubt
whether you need go through the rest in
detail. Extradition is on pp 40/41.*

JOINT STUDIES WITH THE IRISH

3/4

At your meeting on 19 March to review progress in these studies, it was agreed that the Sub-Committee on Anglo-Irish Relations would vet any written comments on the subject matter of the Joint Studies before they are passed to the Irish.

The Sub-Committee met on 1 April to consider comments covering each of the five areas being examined in the Joint Studies. Officials had been instructed to stick to the cautious line agreed upon at your meeting, particularly as regards the form and name of any new institutional structures. At our meeting we excised one or two comments which could offer hostages to fortune, especially if later quoted out of context. What remains is intended:

- (a) to keep up the pressure on points where the Irish are on the defensive, eg extradition;
- (b) to keep the studies in sufficient motion to encourage Mr Haughey to continue with them;
- (c) to make them, as you wished, long, worthy, meaty and dull.

I enclose a copy of British officials' comments in the form in which we propose to transmit them to the Irish early next week.

I am sending copies of this Minute to the members of OD(AI), the Secretary of State for Education and Science, the Attorney General and Sir Robert Armstrong.

3 April 1981

1.4.81

CONFIDENTIAL

JOINT STUDY ON POSSIBLE NEW INSTITUTIONAL STRUCTURES

British officials have been reflecting on the useful first discussion of possible institutional structures at the Joint Study Group meeting in Dublin on the afternoon of 11 March. They were encouraged not only by the evidence of common ground in the thinking of the two delegations but also by the constructive and frank atmosphere of the meeting. The following informal comments are offered in the same spirit and are designed to carry the process a stage further.

2. First, two general thoughts.

a. Events both before and since 11 March have underlined the extent of public suspicions, in both countries, about the Joint Studies in general and perhaps the Institutional Structures study in particular. This makes it all the more important to be clear about their essential objective, which as British officials see it is to help break down the barriers between the two countries without giving offence to the people of either. Decisions about the substance, timing and eventual presentation of particular proposals need to be weighed in the light of that objective.

b. Although there may be scope for drawing specific ideas from existing international models, no one such model seems to provide a basis for what is likely to be required in the Anglo-Irish context. This is perhaps hardly surprising, since the Anglo-Irish relationship is acknowledged to be unique and it is that very uniqueness which the two countries are seeking to reflect in any new arrangements.

3. Given the problems identified in the field of possible parliamentary bodies (on which see paragraph 5 below), the most promising area for initial progress looks like being the institutionalisation of relations between the two Governments. What both sides seem to want is a flexible structure which would subsume existing patterns of contact, from summit meetings of Prime Ministers to meetings of officials concerned eg with the Joint Steering Group on Anglo-Irish Economic Co-operation, and would encourage the development of further contacts under the same aegis. Meetings between groups as well as pairs of Ministers would of course be included. So would contacts of a North-South (Dublin-Belfast) as well as an East-West (Dublin-London) nature; eg existing meetings involving on the United Kingdom side, in present circumstances, junior Ministers from the Northern Ireland Office. Such North-South contacts should be regarded as simply one normal manifestation of the new structure; they should not be seen as specifically subordinate, and therefore for reasons of eventual public presentation the term "substructure" (provisionally used by the British side on 11 March) should be avoided. For similar presentational reasons, it seems unwise to use the term "Council" in the structure's title. Although that was a natural term to use for descriptive purposes in the discussion on 11 March, its public use would inevitably evoke memories of the abortive Council of Ireland which on both sides would be better avoided. British officials have no preconceived ideas about alternative titles. But some use of "Committee" might convey the right flavour of unique non-externality; eg the Anglo-Irish Committee, the Anglo-Irish Co-operation Committee (or Committee on Co-operation), the Steering Committee on Anglo-Irish Co-operation, etc. "Commission" might be another possible basis for the title. British officials have considered whether the use of "Anglo-Irish" might cause resentment in Scotland, Wales and Northern Ireland, but think not. The use of "Anglo" to embrace the whole of the United Kingdom is sufficiently familiar from such usage as "Anglo-French" and "Anglo-American" not to excite remark; and any alternative would be clumsy and sound artificial.

4. The Committee's subject matter would no doubt vary with its composition at different meetings. But the fact that it was seen and described as one structure would usefully underline the fact that, in principle, no aspect of the totality of relationships within these islands would lie outside its purview. Preliminary British legal advice is that an intergovernmental structure of this kind would not require UK legislation for its establishment.

5. Discussion on 11 March of possible structures in the parliamentary field suggest that this is likely to be a more difficult and delicate area, as well as being less obviously a matter for governmental decision. If an intergovernmental structure is established and flourishes, demand for a comparable and complementary inter-parliamentary structure might naturally follow. Initially, however, it might be best (as suggested at one stage of the discussion on 11 March) to build on the existing Anglo-Irish Parliamentary Group, in which influential parliamentarians on both sides might be encouraged to participate.
6. Against that background, British officials have considered whether there is any other possible structure which might aim to bring together some of those who were mentioned in a parliamentary context on 11 March (eg members of the European Parliament and of the Senate and House of Lords as well as of the two Lower Houses) and other influential persons concerned with the totality of relationships within these islands. One possible model here is the series of Anglo-German "Konigswinter Conferences" which started in 1950. Over a period of many years these have attracted a consistently high level of attendance and have notably contributed to the development of friendship and mutual understanding between the United Kingdom and the Federal Republic. More recently, in the early 1970s, a roughly comparable Anglo-French body has been established with similar high level and high quality participation. Organisationally the main difference between the two bodies is that Konigswinter is a private organisation financed by charitable and other non-governmental grants, whereas the Anglo-French body was established by decision at an Anglo-French summit meeting and is financed by the two Governments. Both bodies are run by committees of independent public figures and have as their main activity the holding of major annual conferences, alternately in each country, at which politicians, businessmen, academics, officials, journalists and others meet under "Chatham House rules" (you can use what you hear but not attribute it). The Anglo-French body also organises smaller periodic seminars on more specialised themes.
7. In the Anglo-Irish field private enterprise has already established the British-Irish Association, which does useful work. But there might well be scope for a new organisation which though privately run was explicitly government inspired and government funded and thus able to attract very high level participation and to offer a natural channel for policy input. The Anglo-French body

might thus be a closer parallel than the Anglo-German one; but there would be no need to be more closely guided by either model than the two Governments wished. The setting would be important; and for the United Kingdom meetings a suitable one might be Ditchley Park, which can be borrowed for occasions not sponsored by the (Anglo-American) Ditchley Foundation.

8. Ideas generated at such annual Ditchley-type conferences might usefully be considered by the two Governments at appropriate meetings of the inter-governmental structure.