

Ref. A04499

PRIME MINISTER

Anglo-Irish Joint Studies

The Home Secretary, Foreign and Commonwealth Secretary, Lord Privy Seal and Secretary of State for Northern Ireland will be attending your meeting at 4.30 pm tomorrow, which will have before it my minutes to Mr Alexander of 20 February and 13 March (the latter attaching Mr Wade-Gery's minute of 12 March) and his replies of 23 February and 16 March. The meeting may wish to focus on the following points for decision.

2. A Ministerial Council. Are we content with what seems to be emerging as the main Irish aim at this stage? They want the chief feature of the communique of the next Anglo-Irish summit meeting (which the last communique said would be devoted to "special consideration of the totality of relationships within these islands") to be the announcement that a new "institutional structure" is to be established in the shape of a United Kingdom/Republic of Ireland Council. They see the Council as a Ministerial body, to be flexibly composed of different pairs or groups of Ministers on different occasions. It would be essentially an East-West ie London-Dublin structure. But they would also welcome a North-South substructure, which in present circumstances might on our side involve junior Northern Ireland Office Ministers. In itself such a Council would represent little more than dramatising and somewhat intensifying what happens already. The difficulty will come over the different ways it will be presented. We shall call it a natural development of good working relations with our nearest and only land neighbour, which in no way affects our guarantee to Northern Ireland or threatens the constitutional future of the Province. Mr Haughey could well be tempted to describe it as an important stage on the road to the ultimate goal of a federal or otherwise united Ireland; and Protestant suspicions in the Province would be quick to fasten on that.

3. We cannot stop Mr Haughey claiming that his policies are paying off in terms of his ultimate goal. Nothing will stop extreme Protestants being suspicious, unless we engineer the sort of open breach with Mr Haughey which

for security and other reasons we cannot afford. The question is whether the advantages of continuing to discuss a Ministerial Council (and the disadvantages of blocking the idea) are worth the price to be paid in terms of Northern Ireland suspicions. I think the answer should be that they are. In practical terms a Council should at worst be harmless and at best might contribute usefully not just to maintaining and increasing Dublin's vital co-operation on cross-border security but also to creating that "wider framework" for the gradual easing of the problems of Northern Ireland, via changing attitudes and emerging political stability, which was one of our basic policy objectives in embarking on what has now become the Joint Studies exercise (paragraphs 3-4 of Annex D to OD(80) 67).

4. Leaks. How confident can we be that the Irish will not leak part of the contents of the Joint Studies between now and the next summit? If they do, how fireproof are we? So far Dublin's track record has been good. They have emphasised the importance of confidentiality, parried all public questions skilfully and consulted us at tricky moments. They have also sympathised with our problems over Paisleyite suspicions of the Studies and have raised no objection to our repeated public statements that the Studies are not about the constitutional future of Northern Ireland. But Mr Haughey could if he wished claim that those statements constituted mild leakage on our side, necessitated by our political circumstances; and as he gets into his election campaign (probably mid-April to end-May) he may be tempted to plead similar political necessity for hinting that the Studies are proving useful to the ultimate cause of Irish unity. If he does, we have at any rate given ourselves the firmest possible basis for countering, by reiterating that the Studies do not touch the Northern Irish constitutional issue at any point and that Mr Haughey himself agreed in last May's communique that any change in the Province's constitutional status could only come about with the consent of a majority of its inhabitants.

5. "Constitutional" Issues. Against this background, the question is whether we need to refuse to discuss with the Irish any subject to which the adjective "constitutional" could conceivably be applied. Or is it enough to continue to make it very clear, to the Irish and in public, that we will not discuss the one subject which that word suggests to Northern opinion, ie the constitutional status of the Province? So far the Irish have accepted our No Entry sign on that

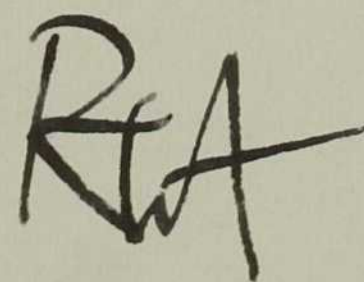
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subject with a good grace. They have not brought up for substantive discussion any other constitutional topic (although they have referred to the constitutional difficulty they claim to have over extradition; and they have also described their hopes that the enfranchisement of British residents of the Republic can be encompassed without changing the Republic's constitution). But they may yet want to raise with us the possible relationship between certain features of their constitution (e.g. the formal territorial claim to the whole island of Ireland) and the Study on "measures to encourage mutual understanding". If they do, and we try to put up other No Entry signs, we may risk diminishing the effectiveness of our main one; and we may also, if we seem unreasonable, risk losing their co-operation over maintaining confidentiality.

6. Points which I think need only be noted at this stage include the following:-

- (a) The Irish are also interested in some Parliamentary structure. But this is clearly a lower priority for them than a Ministerial Council; and they are well aware of the practical problems it would raise (e.g. how to ensure Northern Protestant participation).
- (b) The Irish seem to be trying to do their best over extradition. Although they clearly will not give way on the main point, it will be a helpful signal if they do re-arrest and subsequently sentence someone whom they have first refused to extradite.
- (c) Mr. Haughey is probably still hoping that the next summit can be before the summer break, e.g. in July. But if he does have his election in the early summer, as expected, he will not expect the summit date to be fixed until that is over.

7. I am sending copies of this minute to the Ministers who will be attending your meeting.



(Robert Armstrong)

18th March 1981