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NORTHERN IRELAND OFFICE

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David Colvin Esq
Cabinet Office
70 Whitehall
LONDON SW1

Your reference

Our reference

Date
11 March 1983

Dear David,

ANGLO-IRISH RELATIONS

3M/1

... I attach a note I was invited to submit to the Secretary of State on Anglo-Irish relations, which you may care to see.

Yours, Stephen

S W BOYS SMITH

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FILING INSTRUCTIONS
FILE NO. 3962

Encl

Mr Gossett
Mr Facer

I shd like to see again for AI.

23/3

NB that Mr Prior spoke to Sir R Armstrong on 10 March about Encounter (see para 6 below)

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JLD

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1. Mr Brennan
2. PS/Secretary of State (L&B)

cc: PS/Ministers (L&B)
PS/Sir Philip Woodfield (L&B)
PS/Sir Ewart Bell
Mr Bourne
Mr Merifield
Mr Angel
Mr Doyne Ditmas
Mr Gilliland
Mr Buxton
Mr Blatherwick
Miss Davies
Mr Abbott
Mr Burns
Ms Drummond

ANGLO-IRISH RELATIONS

General

The Private Secretary asked for an assessment of the present state of Anglo-Irish relations and their probable future course over the coming months. I attach a note which has been considered in the Political Development Group and reflects points made in discussion.

2. We think that there is little scope for substantive movement in Anglo-Irish affairs before the General Election. This reflects the position in which both Governments find themselves. Even if we were to conclude that we should press the Irish on any particular matter, all the signs are that they would not respond in a way which took the business much further forward. This absence of significant developments should however not be mistaken for less than satisfactory relations. Both sides want relations to be warm and open, and our relief that the frostiness of last year has passed is shared by the Irish. Mr Barry was pleased with his meeting with the Secretary of State, and arrangements are being made for the meeting which the Irish have sought between the Taoiseach and the Prime Minister.

3. In these circumstances our policy should be one of seeking to foster good relations, recognising that for the time being there is likely to be little content to them but that they are

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desirable in themselves and will serve as a valuable basis for the period after the election when movement may be easier. This posture satisfactorily serves the various objectives we have of seeking fruitful long term relations with the Irish; of demonstrating to the minority that we are on good terms with the Republic and to the majority that we are not to be prevented from having normal dealings; and of showing to opinion elsewhere that such relations exist and are welcomed. It provides us with a suitable context in which to get across to the Irish the various messages we may wish to register, such as our commitment to devolution only on the basis of widespread support and the true nature of our attitudes to Sinn Fein. The position is therefore one which we can in practice do little to change but with which we can be well satisfied.

Encounter Organisation

4. The Secretary of State proposed to Mr Barry when they met that progress might be made with the Encounter Organisation. He did so in the knowledge that Encounter was relatively neutral between the two countries and that our tactical position was good in that we had tabled a paper early in 1982 with detailed proposals to which the Irish have never responded.

5. The Irish have not formally reacted to the Secretary of State's proposal, but have indicated that they are in no rush to take it forward. This fits with the assessment of their attitudes set out in the attached note. They have not yet thought through a comprehensive policy on Anglo-Irish relations, are not likely to want to move ahead on relations as a whole before our election, and probably see no advantage in plucking out Encounter when it might be a useful element later on. Nor is Encounter perceived as very relevant by nationalist opinion, so that Dr Fitzgerald may not want to take it forward in isolation for fear it exposes him to criticism for not having pressed the UK harder on other more important matters.

6. The Embassy has stirred the DFA recently, but have made no real progress. The Secretary of State spoke yesterday to

Sir Robert Armstrong, who said that he would mention the matter to Mr Nally whom he will meet during the course of the European Council meeting. We must now await the outcome of that conversation, but the indications so far are that whatever expressions of goodwill the Irish may make we are unlikely to see much real progress in the coming few months.

S. W. Boys Smith

S W BOYS SMITH
11 March 1983

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ANGLO-IRISH RELATIONS TO THE GENERAL ELECTION

1. From the Irish point of view the situation is broadly as follows:

(i) They recognise that little is to be done before the UK election. They know it is exceedingly unlikely that the UK Government will make any fundamental changes to its Northern Ireland policy or take any significant steps in Anglo-Irish relations before then. Likewise the Irish see no purpose in pressing ahead with the development of their own policies in this area (whatever they may be) before the election when, even if they assume a Conservative victory, they cannot be certain what approach the new Government will adopt towards Northern Irelond or Anglo-Irish affairs. The Coalition in the Republic is likely to survive for some time and certainly well into the life of the next UK Government. The Taoiseach has already privately indicated to us that he sees the period after our election as a stable and potentially constructive one.

(ii) The Irish Government is deeply concerned about the fate of the SDLP, to the point where they may appear obsessed. This concern will probably colour their approach to dealings with us. There are three main aspects to this. First, over the last ten years much faith has been rested on the SDLP as the democratic voice of the minority community, willing to work within Northern Ireland and to form cross-community government. Its withering under pressure from Sinn Fein is more merely than the passing of a political party: many hopes for peaceful change and the advance of the interests of the minority through

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democratic institutions would go with it. Second, the absence of a significant democratic party in the North representing the minority would also require a fundamental rethinking by parties in the Republic of their approach to Northern Ireland. Without such a party, and with the prospect of Sinn Fein purporting to speak for the minority, their policy of recent years would have significantly less credibility; and there is no obvious alternative approach. Third, the apparent assumption by Sinn Fein in the North of the political leadership of the minority would have substantial implications for their standing in the Republic and for the political system there.

(iii) The Irish Government, on the admission of the DFA, has not yet clearly thought out its policy on Northern Ireland or Anglo-Irish affairs. The points at (i) and (ii) above are relevant to this, as may be the absence of the head of the Anglo-Irish section of the DFA. Mr Barry has come to no considered view of how the various elements might fit together. Nor apparently have they adopted positions on, for example, the Parliamentary Body. The Irish Government has been absorbed by its budget and the abortion controversy, and some crucial aspects of Dr Fitzgerald's earlier thinking on Northern Ireland (eg the constitutional crusade) do not now obviously fall into place. The fact that the Irish Labour Party shows signs of taking an interest in Northern Ireland suggests, given its more limited view of the part to be played by the Government of the Republic, that there may be a further element of restraint. Finally, the DFA have indicated to us that they now appreciate the impracticability of the one firm proposal which Mr Barry did press on the Secretary of State, namely fostering the SDLP by letting its representatives take credit for Government hand-outs to constituencies.

2. From the UK point of view the situation is broadly as follows:

(i) We too are under the shadow of the election. The Government will not wish to embark on new developments which do not have any clear purpose or goals, as little in Anglo-Irish relations seems likely to. Nor will it wish to do anything liable to be unwelcome to any significant body of its supporters.

(ii) We must work against the background that the Irish have no clear perception of the immediate way ahead nor, apart from helping the SDLP, any precise or detailed objectives that they now look like articulating.

(iii) More fundamentally, we must not lose sight of the basic nature of Anglo-Irish affairs. The practical benefits to the UK as a whole of close relations are not very substantial. The UK naturally would wish cordial links with a neighbour, especially one with whom there are so many economic and other associations; it is advantageous to be on good terms with an EC partner; and it must always be mindful of the influence the Irish Government can have overseas, especially in the US, on Northern Ireland affairs. But the benefits of actively promoting the "unique relationship" are largely in terms of Northern Ireland. Some of these benefits are practical, for example cross-border affairs of direct or indirect value to the Province; some are more diffuse, because of the relevance of Anglo-Irish relations to political affairs in Northern Ireland, both as they bear on the attitudes of the minority and of the majority.

3. Taken together these considerations suggest that there is little scope for making substantial advance in Anglo-Irish affairs this side of the election beyond continuing the process now firmly embarked on of restoring the normal contacts between the two Governments. If we wished to move actively forward, and to make something constructive from these contacts, we would need to be clear that:

(i) we had objectives we could articulate and which would be relevant, most particularly in the Northern Ireland context; and

(ii) we believed that the Irish would see advantage in reacting positively to us.

Neither of these conditions is met. We do not have significant proposals that we can put convincingly to the Irish in present circumstances which would be immediately relevant to Northern Ireland. Nor do we have any reason to believe that the Irish would see it worth their while to react in a way which would turn a proposal into a productive Anglo-Irish exchange.

4. The annexed annotated list of current issues shows where we stand on most aspects of Anglo-Irish affairs. The list confirms the difficulty of proceeding actively. The Council for a New Ireland will probably be the most substantial likely development in coming months. It has already exposed differences between parties in the Republic. The Government has proposed talks between the parties, and Mr Barry indicated to the Secretary of State some of Fine Gael's concerns about it. The Irish Labour Party has not lived up to the (personal) expression of support its representative gave at the SDLP Conference. Mr Haughey has now identified it as a forum in which to draw up an "outline plan" which might be put to the British Government when it and the Irish Government came together for "the final constitutional settlement". Where this leaves the Government's proposed talks

is not yet clear. The Council will nevertheless absorb a good deal of the attention of parties in the Republic as far as affairs in the North are concerned. It may present us with difficulties, which are hard to gauage at the moment while its future course remains so unclear. But more important, it is not intended to give us scope for activity, and is not likely to do so. Our reaction to it will be relevant to our dealings with the minority and the majority, but as long as we do not positively oppose it our views are not likely to be significant in terms of relations between the two Governments.

5. Equally, the list suggests that we have little to fear in coming months of the Irish facing us directly with major problems. The concern we felt at one stage that they would press ideas on us such as all-Ireland courts are not now likely to materialise. On extradition, we are not as we once feared likely to be pressed embarrassingly about our intentions in the light of the Mc Glinchey judgment. The press speculation about the Irish wishing to revive the joint studies is without foundation. They will continue to be exercised by the positions of the SDLP and may well probe us on measures we will take to support that party, such as on personation ? but our response is well established. In the longer run the Irish may well wish to present us with a major challenge over the Assembly. The signs are however that they will not do so until after the election when its prospects, the position of the SDLP, and the new Government's policy are all clearer. They may want to stake out their position in advance, as to some extent they have already, but this is unlikely to be in a way or at a time when our response could be more than to reaffirm our commitment to the Assembly.

Conclusion

6. If this analysis is accepted the approach for the coming months - certainly till the election if it is in June, and probably through till the end of the summer if it is not - should be one of seeking to maintain and encourage close relations with the Irish. The two countries should have, and be seen elsewhere to have, friendly and normal relations. We should endeavour to be frank and open with them, in the spirit of the Secretary of State's talk with Mr Barry. But we should neither seek nor expect major devlopments. With the exception of any cross-border matters such as Kinsale Gas, we should

not look to complete "unique relationship" business with them. The period will therefore be fruitful for its having laid a background of good relations, which the Iriish undoubtedly wish to have, rather than for its identifiable achievements. This may well be valuable to us if, as is possible, things move forward after the election.

S W BOYS SMITH
11 March 1983

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ANNEX

INSTITUTIONS

AIIC

UK Attitude

Content to let it continue as at present; see possible value of routinely established bilateral meetings, but sceptical of the view that it will have fundamental significance.

Irish Attitude

In principle keen; do not see it as part of a wider plan to be pursued at the moment, and not now pressing for its development; but likely to pick it up later.

State of Play

Meetings at a Ministerial level will continue as business demands; no demand for meeting of steering committee or for a reassessment (which was in theory due in January 1983).

Parliamentary Body

UK Attitude

No prospect of moves before the election; see number of difficulties in it; not likely to proceed easily, save in a much more expansive Anglo-Irish climate than exists at present.

Irish Attitude

In principle keen, and seen to have potential fundamental importance; but difficulties of pressing it now well understood.

State of Play

Proposal in limbo until after UK election; position thereafter unclear.

Encounter

UK Attitude

Welcome in principle and identified as the only bit of Anglo-Irish business capable of being advanced now; our tactical position good.

Irish Attitude

Welcome in principle, but may not wish to single it out for development now.

State of Play

UK suggested to Irish that they now respond to UK 1982 paper; response awaited.

Co-operation North ?

UK Attitude

Fairly positive, but anxious not to become involved on continuing basis in giving financial support; due scepticism of significance of practical benefits, though some (eg US visits) helpful.

Irish Attitude

More positive than UK; readier to give funds if matched by UK.

State of Play

CN will soon seek renewed financial support; keen to expand its efforts.

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SECURITY

General Co-operation

UK Attitude

Attach greatest importance.

Irish Position

Very positive.

State of Play

Every sign that existing arrangements will continue.

All-Ireland Police

UK Attitude

Very sceptical of radical notions, though ready in principle to look at ways of advancing co-operation by closer links.

Irish Attitude

Very much personal to Dr Fitzgerald; not nor likely to be advocated again for a while, but might be resurrected in different climate; not thought through.

State of Play

Effectively put to one side for immediate future.

All-Ireland courts

UK Attitude

Critical.

Irish Attitude

As above.

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State of Play

As above.

Attorneys General: meetings for general discussions

UK Attitude

See as potentially useful forum on some issues, but not to be held for own sake.

Irish Attitude

Less keen in present circumstances than previously.

State of Play

? Both sides agreed to take forward slowly; no early meeting in prospect (although they will meet soon to discuss outstanding extradition cases).

Extradition

UK Attitude

Very keen.

Irish Attitude

Uncertain

State of Play

Progress in light of McGlinchey now awaited; both sides covering outstanding cases, which may soon be discussed between the two Attorneys General.

Other Matters

Castleblaney incident and the McGovern case could create difficulties.

ECONOMIC

Energy

[Both sides reassessing position; next steps unclear at present].

Transport

UK Attitude

Positive, if discernible benefits.

Irish Attitude

Positive.

State of Play

Various issues in hand, eg BHA, EC study of Newry/ Dundalk road.

Territorial Waters

UK Attitude

Do not want the issue opened up.

Irish Attitude

No sign that see advantage in opening issue up.

State of Play

No action taken on joint studies proposal to study Foyle and Carlingford.

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H&W Order

UK Attitude

Positive.

Irish Attitude

(on second order) uncertain.

State of Play

First order not for H&W; possibility of second order on which the Irish have yet to state their position.