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FROM: JONATHAN STEPHENS
Associate Political Director (L)
11 November 1997

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PUS/Ki.

PS/Mr Murphy (L&B)

cc

PS/Secretary of State (L&B)

PS/PUS (L&B)

PS/Mr Semple

Mr Thomas

Mr Bell

Mr Watkins

Mr Beeton

Mr Brooker

Mr Ferguson

Mr Hill

Mr Maccabe

Mr Cooke, Cabinet Office

Mr Sanderson, Cabinet Office

HMA, Dublin

Mr Fergusson, RID

EAST/WEST ISSUES: WORKING PAPER

As we reported to the Minister, we used last Friday's Liaison Group to press the Irish side on the need to develop our joint thinking on East/West issues. We said, without commitment, that we might offer them a paper on the subject.

2. I attach a draft working paper which, if the Minister is content, we will give to the Irish side tomorrow in time for them to consider before the next meeting on Friday of the Liaison Group.

Irish interests

3. The Irish Government's interest is in securing a strong North/South body and preserving the essence of the current IGC. They have, however, signalled that if some

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East/West architecture is the price of securing unionist assent to these, then they are prepared to consider it constructively providing:

- the East/West architecture does not reduce the symbolic and political charge of a North/South body to the point where it does not satisfy nationalist desires for an expression of their Irish identity;
- any East/West council does not have the character of suggesting that Ireland has rejoined the UK.

4. The attached paper seeks to entice the Irish Government to develop their thinking on East/West issues. It answers their concerns:

- it can be presented as consistent with "Frameworks" and what that envisages for a North/South body and the IGC;
- but it develops an East/West structure beyond the vague notion set out in "Frameworks";
- while avoiding any hierarchical relationship between East/West and North/South structures which would undermine the latter in nationalist eyes. So, in paragraph 6, the paper describes these different structures as pillars which stand alongside one another rather than one being subservient to the other.

5. Nevertheless, because this develops thinking beyond "Frameworks" and with the avowed intention of making the rest of "Frameworks" more acceptable to unionists, it is likely to take the Irish Government some time and angst to digest it. But we have to start somewhere.

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Unionist concerns

6. The unionist position, reflected in the 1992 paper they gave the Prime Minister in July this year, is that they will only accept some North/South structure providing it is not free-standing in both of two senses:

- it must be within the framework of a wider "Council of the British Isles";
- it must be dependent upon the participation of the devolved executive from Northern Ireland and the Irish Government and have no independent, free-standing existence of its own.

7. The attached paper seeks to pick up a number of the points from the UUP's 1992 paper. In particular, it suggests:

- as one of the pillars of co-operation, a "council" bringing together the two Governments plus representatives from the various devolved administrations;
- it establishes a "framework" for co-operation between relevant executive authorities which can apply as much to North/South co-operation as to any other form of co-operation within these islands;
- it emphasises that, at all times, responsibility remains with the relevant executive authority in each jurisdiction. There is no derogation of sovereignty.

8. The key element of the UUP paper which is not reflected in the attached draft, because it seems unacceptable to the Irish Government, is that the North/South structure is a component and subservient element of an over-arching East/West structure. But if, as we suspect, the UUP concern is primarily symbolic, the existence of an East/West "council" alongside any North/South "body" may be sufficient.

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9. If the Minister agrees, we shall hand the paper over to the Irish side tomorrow so as to give them time to consider it before Friday's Liaison Group.
10. In handing it over, we would emphasise that it was a working paper reflecting some early and still developing thoughts. We would emphasise that the paper was without commitment and, in particular, had not been cleared more widely in Whitehall where it inevitably touched on a number of interests.
11. Depending on the reaction from the Irish side, we might consider whether and how to play this sort of thinking in with other participants, including the UUP. There are various possibilities, such as tabling it in a Strand 3 liaison meeting or working for it to "emerge" during the review plenary.

(Signed JAS)

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