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Visit of Council of Europe Group

A five-man parliamentary group from the Council of Europe will visit Dublin on 30 April, 1973 to discuss the northern situation with political leaders here. Dr. Erik Blumenfeld (Federal Republic of Germany) will be the leader of the group. It is not certain yet who the other members will be.

Fuller information about the visit should be available within a week or so.

Background Information

On 7 October 1971 a motion for a resolution on Northern Ireland was tabled by Mr. Frank Closkey, T.D., and 29 colleagues in the Consultative Assembly of the Council of Europe. The motion was referred to the Political Affairs Committee and the Legal Affairs Committee as a result of which a Political Sub-Committee and a Legal Sub-Committee were formed, despite strenuous opposition by British Conservative Party members. It was decided that, while each Sub-Committee should preserve its separate identity, they should meet jointly. Mr. F. Aiken, T.D., was a member of the Political Sub-Committee and Mr. R. Ryan, T.D., Minister for Finance, was a member of the Legal Sub-Committee.

The Sub-Committees were empowered to study "any problem relating to Northern Ireland" and report to the Consultative Assembly if they thought such a course was indicated.

Council of Europe Sub-Committees on Northern Ireland

1. On 7 October 1971 a motion for a resolution on Northern Ireland (Doc. 3035 Appendix "A") was tabled by Mr. Frank Closkey and 29 colleagues in the Consultative Assembly. The motion was referred to the Political Affairs Committee and the Legal Affairs Committee as a result of which a Political Sub-Committee and a Legal Sub-Committee were formed, (despite strenuous opposition by British Conservative Party members). It was decided that, while each Sub-Committee should preserve its separate identity, they should meet jointly.

2. The membership of the two Sub-Committees was as follows:

Political Sub-Committee: Aiken (Ireland)

Badini Confalonieri (Italy)

Bjork (Sweden)

Blumenfeld (Fed. Rep. of Germany)

Van der Stoep (Netherlands) *(alternate: DANKERT)*

Legal Sub-Committee: Grieve (U.K.)

Mac Lellan (U.K.)

Margue (Luxembourg)

Pitterman (Austria)

R. Ryan (Ireland).

Originally it was intended that both Ireland and Britain would be represented on both Sub-Committees and this procedure was followed in our case. We understand, however, that after Grieve (Conservative) was appointed to the Legal Sub-Committee, the British Labour Party decided that they would rather be represented by Mac Lellan who was also a member of the Assembly's Legal Affairs Committee than by a member of the Political Affairs Committee.

3. The original motion to the Consultative Assembly (set out in Doc. 3035 Appendix A) began with a reference to "the breakdown of democratic institutions in Northern Ireland" (Para. 1) and called on the Political Affairs and Legal Affairs Committees to study the situation and recommend "appropriate legal and administrative provisions" which would provide for the participation of the minority in the decision

making process, guarantee civil rights and prevent discrimination (Para. 4).

The Draft Order which was unanimously accepted by the Political Affairs Committee (Appendix B. Doc. 3045) and which set up the Political and Legal Sub-Committees provided that the Sub-Committees should study "any problems relating to Northern Ireland" and report to the Consultative Assembly if they thought such a course was indicated.

3. The Secretary-General of the Council of Europe in the course of a telephone conversation with the Permanent Representative to the Council, Miss Tinney, described the work of the two Sub-Committees as largely "research work".

4. At a meeting of 20 March 1972 the Sub-Committees decided to visit Northern Ireland subject to the agreement of the British Authorities. Mr. Grieve (British Conservative) objected strongly and left the meeting in protest but returned shortly afterwards.

5. According to reports which reached the Department of Foreign Affairs in March and April 1972 the Sub-Committees had come to a number of general conclusions:

- the escalation of violence in Northern Ireland could only make democratic solutions more difficult;
- the Northern Ireland problem should be seen in a European perspective especially in the light of the applications of Ireland and the U.K. for membership of the European Communities;
- the Northern Ireland minority should be given a real share in power: a body representative of both communities should govern at least temporarily;
- talks on an open agenda should begin at first between representatives of the two Northern Ireland communities and, at a later stage, the U.K. and Irish Governments should become involved;
- proportional representation should be used for all elected bodies in Northern Ireland;
- in regard to Irish unity, referenda might be held (in Northern Ireland) when requested by a substantial number of MPs and/or citizens;
- social and economic problems should also be tackled;
- a phased programme of release of internees and detainees might be embarked on.

6. In a report to the Consultative Assembly dated 16 March 1973 (copy attached, Appendix C) the Sub-Committees reported on their work and made a number of recommendations:

- the Chairman and Rapporteur of the Sub-Committees had "frank" discussions with Ministers in London on 4 July 1972 and would be going to Dublin in the near future;
- in the course of a historical disquisition (Paras. 8 to 10) it is concluded that (a) the Border was artificial and (b) Stormont was never suitable;
- Partition promoted polarisation within the North and divergence in the North-South context;
- an All-Ireland Council based on an Anglo-Irish Treaty should be set up "without delay";
- The policy of the new Government in Dublin should aim "to present positively a more modern image of Ireland";
- "Could the British Isles not become a unit similar to Benelux, with the help of the Common Market?"
- the new Northern Assembly (elected by proportional representation) should be at first consultative and progressively move towards government: an executive should be elected by proportional representation and decisions should be by three-quarters majority;
- guarantees of human rights should draw on the experience of the Council of Europe;
- the exercise of emergency powers should be restricted within a minimum framework of guarantees and the "odium" associated with the Special Powers Act could be removed by introducing emergency legislation applicable to the entire United Kingdom.

7. Dr. Blumenfeld (Fed. Rep. of Germany) Chairman of the Political Affairs Committee welcomed the White Paper (cutting from Irish Times of 24 March 1973, Appendix D). The Political Sub-Committee will visit Dublin on 30 April 1973.

4/4/1973