

Denis Maher, The Tortuous Path

Caption: Denis Maher was a former Member of the Irish Delegation to the negotiations on Ireland's accession to the European Communities. In his memoirs, he comments on the aide-mémoire which the Irish Government sent to the Six in 1961, at the time Ireland's first application for accession to the European Communities was submitted.

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In the course of April and May 1961 information reaching the Irish Government through diplomatic channels indicated that there was a strong probability of a British decision within a few months in favour of entry. The growing public speculation about Britain's intentions naturally evoked a succession of questions in Dáil Éireann about the Irish Government's intentions. The Government's basic position was set out by the Taoiseach, Seán Lemass, in a reply he gave in Dáil Éireann on 16 May in the course of which he said:

Until recently, the prospect of a link between Britain and the Common Market seemed slight. There have, however, been indications during the past few months that the British Government may be contemplating the possibility of entering the Common Market on certain conditions. It is the Government's view that, if Britain should take this step, we should consider establishing a link with the Common Market and endeavour to secure terms of membership or association which would satisfactorily take account of our economic circumstances.

Aide-Mémoire to Governments of the Six

In the weeks following, the Government decided on a number of steps to prepare for that eventuality. The first of these was to alert the capitals of the Six and the European Commission, by way of an *aide mémoire* to the Government's intention to seek participation in the EEC in the event of a British decision to do so. The second was to publish a White Paper which would set out on a factual basis the scope and content of the Treaty of Rome establishing the EEC. The third was to institute procedures to ensure that the industrial and agricultural sectors of the economy were adapted as rapidly as possible in a manner that would ensure maximum benefit from a link with the EEC. The fourth was an approach to the British Government seeking early discussions with a view to coordinating moves towards the EEC.

The *aide mémoire* destined for each of the Governments of the Six and for the European Commission was a short document. It is worth setting it out here in full because of the significance it assumed in the consideration by the Six of the Irish application for membership made a few weeks later:

1. The Irish Government are at present considering the question of applying for membership of the European Economic Community in the event of the United Kingdom applying to become a member of the Community.
2. The Irish Government have followed with interest and goodwill the establishment and progress of the European Economic Community and are in agreement with the general aims and objectives of the Community as expressed in the Treaty of Rome. The circumstances of Ireland's trade and economic position, however, are such that membership of the Community could not be envisaged except in the context of a decision by the United Kingdom to apply to become a member.
3. The Irish economy is heavily dependent on foreign trade. Most of this trade is with the United Kingdom but a substantial part is with the member countries of the European Economic Community. It would be conducive to Ireland's economic progress, and to that of Western Europe generally, that Ireland should have the benefit of participation in any arrangements comprising both the existing members of the Community and the United Kingdom.
4. Ireland would be prepared to accept in principle the provisions of the Treaty of Rome, as required of

members, but, at her present stage of development, would be unable to comply fully with some of these provisions within the time appointed.

5. Ireland recognises it to be in her own interest to hasten as much as possible the development of her economy and the achievement of the highest degree of competitiveness in production and exports. To accelerate this process the Government initiated in 1958 a coordinated Programme for Economic Expansion which has already resulted in much higher rates of growth of national production and exports than were previously attained. A comprehensive review of this Programme is now being initiated so that, before the first five years have run their course, the most effective arrangements may be made for the improvement and continuation of the Programme.

6. By and large the objectives of the Programme are:

(a) to raise real incomes per head to a level closer to the Western European average;

(b) to raise the proportionate contribution of industry to national production; and

(c) generally to accelerate the rate of increase in national production.

These objectives are in harmony with those of the European Economic Community and their achievement would be in the common interest. The Programme has the approbation of organisations for international economic co-operation including the International Bank for Reconstruction and Development.

7. Should the Irish Government apply for membership of the European Economic Community in the circumstances indicated at the outset, they would hope that the members of the Community would recognise the desirability in the common interest of facilitating the accomplishment of the aims of the Government's Programme for Economic Expansion, and that in the application of the Rome Treaty to Ireland the Institutions of the Community would take account of the measures necessary for the achievement of those aims.

8. The Irish Government would much appreciate a general indication of the attitude of the ... Government in this respect.

There are certain aspects of the *aide mémoire* which call for comment. In the first place, the document is couched in terms which predicate membership rather than association, notwithstanding the statement by the Taoiseach in Dáil Éireann on 16 May that 'we should ... endeavour to secure terms of membership or association which would satisfactorily take account of our economic circumstances'. The approach adopted was to establish the best terms of membership obtainable; if these, in the view of the Government, were too onerous, the solution would have to be association.

The second point concerning the *aide mémoire* is that it sought to convey a picture of a dynamic and rapidly growing economy. The object here was to neutralise any impression the Six might have as a result of the OEEC negotiations of 1957-58 for a Free Trade Area, that the Irish economy should be ranked with those of Greece and Turkey.

Finally, the *aide mémoire* was oriented, by its emphasis on the Programme for Economic Expansion, towards securing a special Protocol similar to that obtained by Italy (which recognised the need to take account of the developing nature of that country's economy) when the Treaty of Rome was being negotiated.

The *aide mémoire* was presented to the Governments of the Six and the European Commission at the beginning of July 1961. At the same time the British and United States Governments were informed as a matter of courtesy. The preliminary response from within the Community was generally favourable. Considerable sensitivity, however, was shown towards the question of Ireland's willingness to accept the political as well as the economic implications of membership.

[...]

On 31 July, the same day on which Mr Macmillan delivered his statement in the House of Commons, announcing Britain's intention to enter negotiations, the Taoiseach wrote to the President-in-office of the Council of the EEC (Professor Ludwig Erhard, Vice-Chancellor and Economics Minister of Germany) presenting Ireland's application for membership of the Community:

I have the honour on behalf of my Government, to inform your Excellency that Ireland desires to become a member of the European Economic Community and hereby presents an application to the Council for membership pursuant to Article 237 of the Treaty of Rome.

My Government fully share the ideals which inspired the parties to the Treaty and accept the aims of the Community as set out therein, as well as the action proposed to achieve those aims.

It is the earnest hope of my Government that Ireland's application to become a member may commend itself to the Council of the Community and that the Council may be good enough to arrange for discussions regarding the conditions of admission and the adaptations which, as envisaged in Article 237, would become the subject of an agreement between the Member States and Ireland.

There was no hint in the letter of the anxieties which lay behind the *aide mémoire* presented in the capitals of the Six at the beginning of July. But these anxieties were not to be allowed to drop out of sight. While the Irish application for membership relieved the Governments of the Six of the need to reply formally to the *aide mémoire*, that document could not be separated from the application and did in fact colour the Community's response to it. Reports from the Embassies indicated a continuing interest in the *aide mémoire*. The Secretariat of the Council conveyed informally to the Ambassador in Brussels that Professor Erhard's reply to the Taoiseach's letter would be of an interim character but would also probably inquire whether it was the Irish Government's intention that their *aide mémoire* should be regarded as forming part of the application for membership.

On the Taoiseach's directions Ambassadors in the member countries were instructed on 14 August to inform the EEC authorities and the Governments of the Six that the *aide mémoire* did not form part of the Irish application for membership and that it was intended to be an indication of the matters which the Irish Government would be discussing during the negotiations.

On the same day - 14 August - Professor Erhard replied expressing his pleasure at the Irish move and saying that he was transmitting the Irish application to members of the Council of Ministers and proposing that it be placed on the agenda for the next meeting of the Council. The letter, however, went on to raise a query in relation to the *aide mémoire* in the following terms:

For the information of the Council, I should be grateful if your Excellency would let me know to what extent the Council in its deliberation should also consider the *aide mémoire* which was handed to the Member States of the European Economic Community by the Government of Ireland on 4 July 1961.

On 19 August the Taoiseach acknowledged Professor Erhard's letter saying:

I have the honour to inform you that it is the desire of my Government that only my letter of application dated 31 July 1961 and this letter should be considered by the Council at its meeting. My Government, after full consideration, believe that the problems arising for Ireland in accepting the obligations for membership of the Community can be resolved in accord with the provisions of the Treaty and they are ready to participate on this basis in the discussions for an agreement pursuant to Article 237.

The letter went on to express the hope that, in view of the nature of the economic relations between Ireland and the United Kingdom, 'arrangements will be made whereby such discussions will be conducted concurrently with, although independently of, the discussions between Member States and the United Kingdom'.

So far as Ireland was concerned, the rapid progression of events in the preceding months was not maintained. Indeed the pace at which Ireland was allowed to move towards the negotiating table through the remainder of 1961 and the whole of 1962 was singularly slow in comparison with the treatment accorded to other applicant countries.

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It was decidedly a case of the first being last. Although an exchange of views between the Taoiseach and the Foreign Ministers of the Six took place at a meeting in Brussels in January 1962 (see below), it was not until October 1962 that the Council agreed to the opening of negotiations proper on Ireland's application. The negotiations had not commenced, when those with Britain, Denmark and Norway collapsed at the end of January 1963.

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