

North-South Structures

This paper, which refers to 'Strand 2 matters', assumes that in Strand 1, there will be established an Assembly of elected representatives for Northern Ireland, from which will be drawn members who will function as political 'head of department' for those areas of governance which are devolved from Westminster. It is assumed that these areas will cover at least as wide a remit as the six current Northern Ireland Departments (Agriculture, Economic Development, Education, Environment, Finance and Personnel, Health and Social Services).

North-South Ministerial Council

There shall be a North-South Ministerial Council. This Council may meet in various formats from summit level, to the level of individual ministers.

When meeting at summit level the Taoiseach will meet with the Chief Minister of the Northern Ireland Assembly. The Taoiseach would commonly be accompanied by the minister charged with relations with Northern Ireland. This may be the Minister for Foreign Affairs, or another minister charged with relations with Northern Ireland. The Chief Minister would commonly be accompanied by the Deputy Chief Minister and/or a minister charged with external relations. Relevant civil service back-up from both sides, would be expected to facilitate the meetings. Such meetings would be expected to be regular, and to be able to be requested by either side. At least one summit meeting each year, would be expected to be held in the North, and one meeting in the South.

Meetings of the Council would also take the form of meetings between ministers from North and South, who held portfolios which dealt with similar issues, (for example the Ministers of Agriculture from North and South) and would meet in the same format as described above.

In some circumstances it might be deemed helpful for a Minister to be present from more than one department. As an example, if the matter under discussion was Food Safety, it might be regarded as helpful to have both the Ministers of Agriculture and Health from the two jurisdictions in attendance.

All decisions of the North-South Council would be by agreement. It would be necessary that matters to be agreed would canvas the appropriate level of support from elected representatives in the parliamentary bodies, North and South. This might be expressed in advance, or ratified subsequently.

The limits of competence and accountability, would be the only limits on the range of areas, on which agreement could be reached in the North-South Council.

Servicing of the North-South Council

It would be helpful to establish a lead department both North and South, to facilitate contacts and provide civil service back-up.

In the North this could be the Department of the Chief Minister, or of the Deputy Chief Minister, or of a Department of External Affairs. In the South this could be the Department of the Taoiseach, the Department of Foreign Affairs or a new Department for Cross-Border Co-operation. The agreed Northern and Southern Departments would then ensure that all necessary arrangements were in order for the functioning of the North-South Council, and would be responsible for the production of an Annual Report to the parliamentary bodies, North and South, on the functioning of the Council.

Implementation of North-South Council Agreements

When a meeting of the Council reaches a decision on any matter, its implementation may be accomplished in a number of ways.

- Civil servants from the relevant departments, North and South, may meet and implement the decision.
- Where necessary, legislation may be prepared and carried through the legislatures, North and South.
- Bodies may be established, to which appointments would be made by the appropriate procedures, North and South. These bodies may be mandated to prepare plans of annual activity. If approved the bodies would oversee the execution of these policy agreement. A report of this activity would be conveyed to the North-South Council at least once a year, and would also be provided in an appropriate form to the parliamentary bodies, North and South.

For example

A body established to deal with Animal Health might function as follows:

- At commencement, the Ministers in the North-South Council would agree a plan of activity.
- It might be agreed that the first year of activity would address the problem of BSE.
- Agreement would be reached on the membership of the body (which should be equal from North and South), on the convening of meetings (joint chairs, from North and South), and on the funding necessary to fulfil the work.

- At the end of the year the North-South Council, and the parliamentary bodies, North and South, would receive a report of the activity of the Animal Health body, with proposals for work for the following year, for agreement by the North-South Council.
- The continuing work on BSE, might be added to with other areas of work (eg diseases of fowl, or sheep).
- The report might also suggest that harmonisation of computer-tracing systems, or veterinary practice, or housing of animals, would be of advantage.
- These proposals would be brought to the North-South Council.
- If the Ministers of Agriculture, North and South agreed, the remit of the body would be extended to fulfil this work, and if legislation was required in either or both jurisdictions, then the Ministers would undertake to have the necessary bills prepared and submitted to their individual legislatures for approval.

As an undertaking of good faith the settlement should identify a number of areas where implementation bodies will be established, from the outset. Suggested areas are:

Agricultural Marketing, Animal Health, Economic Co-operation, Energy, Environmental Protection, Fisheries, Food Safety, Specialist Healthcare, Railways, Tourism Marketing.

It is important to point out that these bodies would not, from the start have authority or responsibility for all aspects of these remits. They would have to produce plans for agreement by the North-South Council, as outlined above.

The North-South Council would be at liberty to establish, develop, change, merge or set aside such bodies, but only and always by agreement, accountable to the respective legislatures.