

LABOUR

STRAND TWO North/South Structures

February 4 1998

Labour supports the establishment of a North/South Ministerial Council because apart from the cultural and political imperative there is a real practical and rational reason for developing efficient working arrangements that will benefit many people.

Labour sees the Council as having no minimal or maximum activity but hopes that its activities will develop from the real experiences of people and their needs. This development must be based on the fundamental principles of mutual recognition of the status of each State and the principle of consent.

While Labour is not comfortable with answering a questionnaire we have attempted to list our views in a manner that conforms with the format so that the views of Parties can be correlated. Where there are gaps it is because we believe that questions overlap.

References to ministers include those responsible for executive authority in Northern Ireland.

- a) The purpose of such bodies is to recognise the different cultural identities and to provide a mechanism to develop social interaction and institutions that will be of enormous practical benefit to our people culturally, economically and socially.
- b) The Council should be composed of ministers from north and south with a maximum number but with each jurisdiction free to choose who are appropriate for a meeting. Any agreement establishing the Council should be recognised in international law and implemented by legislation in each jurisdiction.
- c) The role and function of the Council would be to review, delegate, direct and, on occasions, execute matters within its remit. Labour proposes that the areas noted in the frameworks document form a basis for the work of the Council.
- f) Labour believes that within the Council there must be a mechanism that both ensures that strength is not abused and that there is no wilful use of the power of veto. Everyone entering this agreement must be reassured and grow in confidence in working the structures.

g) All decisions of the Council will be reported to the Assembly and Oireachtas and be subject to scrutiny. The method by which each body 'approves' the reports can be decided within each jurisdiction. Within Northern Ireland there is a potential problem if any significant group effectively vetoes all decisions and actions of the Council. For this reason Labour asks that consideration be given to the use of the negative vote on some, if not all, matters. This vote would be not unlike the Order in Council at Westminster.

h) The Council will decide on the issues in a purely pragmatic manner and this may include simply harmonisation, joint teams, direct action by the secretariat, instructions to existing bodies or the establishing of institutions which will be answerable, in the first instance to the Council. These institutions will commonly report to the committees of the Assembly and Oireachtas. The mechanisms would be similar to current arrangements in London and Dublin.

The composition of the Boards would be agreed by Council as would objectives and budgets. Only the Council would have the power to change any of these items. The employees of any such institution would, in the main, be 'free standing' employees.

i) The primary link between the people, especially in Northern Ireland, and the intergovernmental Council should be through their elected representatives. Therefore there should be representation on the Council for ministers from Northern Ireland. This representation would probably have observer status. It follows that Labour sees no role for the North/South Council on the intergovernmental Council.

Labour believes that for the foreseeable future Northern Ireland should have its own independent access to the EU. European matters of mutual interest can be dealt with at the Council on an ad hoc basis.

j) The Council should be funded jointly by the Assembly and the Oireachtas with normal votes required.

k) The Council should be supported by a secretariat with secondments from either public service or have freestanding employment. This secretariat would co-ordinate, ensure implementation, and, when required, have executive functions.

l) Labour welcomes any initiative that involves dialogue between people throughout the island of Ireland. To this end we would support joint meetings of the Assembly and the Oireachtas. Equally, we would welcome meetings between all members of civic society and the social partners. This should be not only all-island but at local levels around the Border.

m) Labour believes that politicians who are accountable to the electorate must make decisions affecting the people. While civic society can make their views known, and the Council should encourage them, there is no merit in formal consultation structures.

- n) In the event of formal structures failing then the government has a responsibility to provide good government. The government should continue any arrangements that will be of mutual benefit to the people of Northern Ireland including any cross border arrangements that are considered necessary to good governance and beneficial to the people of Northern Ireland.