

18 November 1997

**WORKING TOWARDS AGREEMENT**

An Aide Memoire from the Chair of Strand One

1. It may be helpful in the light of the first round of bilateral consultations to pose some questions intended to focus further discussions as part of an attempt to identify the key elements in any agreement likely to emerge from Strand One of the negotiations.
2. Any such agreement would of course be informed by, and considerably dependent upon, agreements reached in other parts of the negotiations. But on the assumption that any agreed outcome from the multi party negotiations will include interlocking and mutually supportive arrangements across the three Strands, including:
  - (i) structures within Northern Ireland;
  - (ii) North/South structures;
  - (iii) East/West structures and arrangements which cater for the totality of relationships between the various peoples of these islands, including relations between the two sovereign Governments;
  - (iv) agreed provisions to address the equality, rights and justice agendas; and
  - (v) a shared understanding on constitutional issues,
    - (a) do you agree that new political institutions in Northern Ireland are required which are dedicated to the government of Northern Ireland, within a wider framework of agreed relationships, including with the rest of the UK and the rest of the island of Ireland?
    - (b) should significant political responsibilities be devolved to locally elected representatives in Northern Ireland, on a widely acceptable basis? How extensive should those responsibilities be? Should they be limited to issues currently within the responsibility of the Northern Ireland Departments, or include some currently discharged by the Northern Ireland Office? Should new political institutions in Northern Ireland have only executive powers, or should they have legislative powers as well; and, if so, how extensive should the latter be?
    - (c) should those responsible for discharging devolved responsibilities be accountable to a representative Assembly in Northern Ireland? How many members should it have and how should it be elected?

IN CONFIDENCE

- (d) what 'model' of government would be most appropriate for Northern Ireland: should there be a 'Cabinet-style' Executive subject to collective responsibility and required to command a prescribed level of support in any Assembly on a regular basis, or a system of Executive Committees with chairmanships and membership allocated on a proportional basis?
- (e) what other arrangements should be made to safeguard the interests of any significant section of the community in Northern Ireland, consistent with the need for effective government? Should there be a second chamber, another elected institution with complementary powers and/or requirements for minimum threshold or weighted majority voting in specified circumstances? Does the concept of "sufficient consensus" have a role to play in the operation of new and widely acceptable political institutions in Northern Ireland?
- (f) what arrangements should be put in place to enable those exercising political responsibility in Northern Ireland to liaise effectively with the United Kingdom Government in relation to non-devolved matters affecting Northern Ireland? Should there be any limits on the ability of new political institutions in Northern Ireland to develop or operate structured arrangements for co-operation with other political institutions in the Republic of Ireland or in the rest of the United Kingdom?
- (g) what role should the Westminster Parliament have in relation to devolved matters in Northern Ireland, and how should that role be discharged? What arrangements should be made for Parliamentary oversight of UK Cabinet responsibilities relating exclusively to Northern Ireland after devolution?
- (h) should specified rights be given additional legal protection? If so, which rights should be covered and how might they most effectively be protected?
- (i) to what extent is it necessary to reach agreement on future policing arrangements or on criminal justice issues as part of the multi-party negotiations?

IN CONFIDENCE