

STRAND TWO - RELATIONSHIPS WITH OTHER ARRANGEMENTS

Paper presented by the Irish Government

Overview

1. This paper should be read in conjunction with the other papers submitted by the Irish Government in Strand Two.
2. The Government recognises the need for a balanced accommodation in the negotiations across the three Strands. There is a close relationship between what happens in any Strand and in the other two areas. In the Joint Framework Document, the interdependent nature of the Strands is set out as follows in paragraph 13:
 - *The two Governments will work together with the parties to achieve a comprehensive accommodation, the implementation of which would include interlocking and mutually supportive institutions across the three strands,*
3. The interdependent relationship of the three Strands was further emphasised in the Ground Rules adopted by the two Governments (paragraph 5), which refers to the "three interlocking strands". This is further reflected in paragraph 36 of the Rules of Procedure, which provides that the negotiations will proceed on the principle that nothing will be finally agreed in any format until everything is agreed in the negotiations as a whole.
4. This interlocking approach will clearly have an important role in the achievement of a successful outcome to the negotiations.

Institutional relationships

5. A clearer sense of the nature, form and extent of arrangements in the three Strands will be necessary before it will be possible to delineate the detail of their relationships to each other. For the purposes of this brief introductory paper on the relationships of Strand Two arrangements with other arrangements, the Government wishes to highlight what it regards as the main elements required in this regard, drawing on the shared understanding of the two Governments set out in the Joint Framework Document:

With the Sovereign Parliaments

- the proposed North/South body would be established and maintained by legislation in both sovereign Parliaments, which should, in agreement with the parties, designate the functions to be discharged by the body from the outset. This legislation would also establish the body's terms of reference, legal status and arrangements for political, legal, administrative and financial accountability;

With the Oireachtas and New Institutions In Northern Ireland

- it would be open to new institutions in Northern Ireland and to the Oireachtas to

agree on additional functions, beyond those designated at the outset, to be undertaken by the body. The Heads of Department on each side would exercise their powers in accordance with the rules for democratic authority and accountability for this function in force in the Oireachtas and in new institutions in Northern Ireland;

- the operation of the North/South body's functions would be subject to regular scrutiny in agreed political institutions in Northern Ireland and the Oireachtas respectively;

With Strand Three Arrangements

- the Government, together with the British Government, set out its views on the relationship between any new institutions agreed under Strands Two and Three in paragraph 49 of the Joint Framework Document. A number of participants have tabled their own ideas on this matter under Item 3 of the Strand Two Agenda. The Government is considering these ideas and looks forward to studying any further views which might be put forward within Strands Two and Three;

With European Union

- specific arrangements would need to be developed to apply to European Union matters. This is an issue which will cut across all three Strands;

6. As part of Strand Two arrangements, a North/South Parliamentary Forum is envisaged. The relationship between this Forum, the North/South body and other Parliamentary fora on the two islands will need to be elaborated.

END