

ANNEX B

WORKING PAPER

(11 November 1997)

TOTALITY OF RELATIONSHIPS: PRINCIPLES AND STRUCTURESPrinciples

1. There should be structures to reflect the totality of relationships within these islands. These need to be considered alongside the other elements of the negotiations, including Strand One and constitutional issues, and in the light of the proposals for Scottish and Welsh devolution.
2. There should be structures reflecting a range of specific interconnections, including:
 - among the peoples of these islands and among their democratic representatives;
 - between the British and Irish Governments;
 - between the relevant executive authority in Northern Ireland and the Irish Government;
 - other interconnections which may be developed by agreement, for example involving the Scottish Executive and Welsh Assembly.
3. Such structures should be without derogation from sovereignty. Each Government or, as appropriate, devolved administration should retain responsibility for the decisions and administration of government within its own jurisdiction and remit.
4. Each of these interconnections should be developed so as to enhance practical co-operation at all levels to the mutual benefit of the peoples concerned.
5. In particular, where co-operation between executive authorities is developed it should be within the following framework:
 - the involvement from each jurisdiction of the relevant executive authority with responsibility for the issue concerned;
 - functions designated for co-operation should be within the competence of the executive authorities involved;

- the relevant executive authority should act always in accordance with any terms of reference established under the arrangements for democratic accountability in its jurisdiction;
- decisions require unanimity between the two sides concerned;
- implementation of any such decisions should be achieved within the established democratic and legal processes in each jurisdiction;
- consistent with this, by mutual agreement implementation may be delegated to a specific agency for implementation either separately or jointly;
- any such agency should remain responsible to the relevant executive authority in each jurisdiction, which itself remains subject to the established procedures for democratic accountability in each jurisdiction.

Structures

6. Within these basic principles for developing co-operation within these islands, co-operation should be based on the following pillars:
 - a council to consider the totality of relationships within these islands, and matters of common interest embracing these islands, such as the recognition and protection of human, civil and cultural rights of individuals and communities, common approaches towards EU issues, and economic and environmental co-operation throughout these islands. The council would involve both sovereign Governments, the Scottish Executive, the Welsh Assembly, a devolved administration in Northern Ireland and any other appropriate regional interests;
 - a standing conference to bring together the two sovereign Governments to express views, resolve differences and develop co-operation on matters for which both retain responsibility. Different Ministers would attend depending on the issues to be discussed - the Secretary of State for Northern Ireland would attend on matters relevant to her continuing responsibilities in Northern Ireland;

- a body to bring together the devolved administration in Northern Ireland and the Irish Government to develop co-operation within the island of Ireland and to undertake delegated functions on designated matters for which both are responsible. Again, attendance would vary according to the issues under consideration;
 - other bodies, or arrangements for liaison and co-operation, which may be established by mutual agreement between the relevant executive authorities including, for example, the Scottish Executive and Welsh Assembly;
 - an inter-parliamentary forum bringing together representatives of the two sovereign Parliaments, the devolved assemblies in Scotland, Wales and Northern Ireland for discussions on issues of mutual interest. The forum could have a committee on North/South issues, bringing together members of the Oireachtas and any devolved institution in Northern Ireland, and other committees as appropriate.
7. Where issues spanned a range of interests, there could be arrangements for the free flow of information between these various pillars and for ad hoc meetings as necessary. There could be linkages between the various pillars and with other institutions - for example, devolved institutions in Northern Ireland could be formally associated with the standing intergovernmental conference when issues concerning Northern Ireland were under consideration.
8. It should be for those involved in each interconnection to develop and enhance their relationship as appropriate, acting always by mutual agreement and within this overall framework. In some pillars, for example, reflecting existing commitments, the participants would want to agree detailed arrangements for consultation, or for offering views on proposals on the basis that every effort would be made to reach agreement.
9. Each of the various pillars should be serviced by arrangements, agreed by the appropriate participants, to provide official support.