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NORTH/SOUTH MINISTERIAL COUNCIL

1. In the context of the establishment of the [British-Irish Forum] to deal with the totality of relationships, a North/South Ministerial Council to be established under a new British-Irish Agreement, to bring together those with executive responsibilities in Northern Ireland and the Irish Government, operating under agreed mandates of the Northern Ireland Assembly and the Oireachtas respectively, and accountable to them. The Council to enable those with executive responsibility on each side, acting within those respective mandates, to develop consultation and co-operation within the island of Ireland - including, where agreed, implementation of mutually beneficial actions on an all-island basis - on matters of mutual interest within the competence of the administrations, North and South.

2. Northern Ireland to be represented by [], the Irish Government by the Taoiseach and relevant Ministers. Participation in the Council to be one of the responsibilities attaching to relevant posts in the two Administrations. The Council to meet in different formats:

- (i) in plenary format twice a year, with Northern Ireland represented by [] and the Irish Government led by the Taoiseach;
- (ii) in specific sectoral format, on agreed issues, on a regular basis with each side represented by [];
- (iii) in other format, as necessary and agreed, to resolve institutional or cross-sectoral issues (including in relation to the EU).

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3. Agendas for all meetings to be settled by prior agreement between the two sides, but open to either to propose any matter for consideration or action.
4. All Council agreements to be by unanimity. Each side to be able to make agreements in the Council within the delegated authority of those in attendance, subject to the relevant agreed mandates of the Northern Ireland Assembly and Oireachtas respectively, and any arrangements in place for co-ordination of executive decisions within each jurisdiction. Each side to remain accountable to the Assembly and the Oireachtas respectively, whose explicit approval, through whatever arrangements are in place on either side, would be required for decisions beyond the delegated authority of those attending.
5. Within the Council both sides would be able to:
 - (i) exchange information and discuss with each other matters of mutual interest;
 - (ii) consult with each other on all such matters with a view to cooperating with each other where that would be in mutual interest;

and in accordance with paragraph 4 above,
 - (iii) agree to cooperate in specified areas or take a common approach to policy, with implementation by each administration through its own system, working through the normal democratically accountable machinery;

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- (iv) agree to pursue other action, in specified meaningful areas, at an all-island or cross-border level, through suitable implementation bodies and mechanisms, to be established as set out below.
6. A list of specific areas for the North-South Council to deal with initially is in Annex?
7. At the inception of the operation of the British-Irish Agreement or as soon as feasible thereafter, implementation bodies and mechanisms in the designated areas listed at Annex ?? to be established. Appropriate enabling legislation to be passed to allow such bodies and mechanisms to function in their designated areas. These bodies to be responsible for the implementation, on an all-island or cross-border basis, of relevant agreements of the Council, as set out in paragraph 5(iv) above. Appropriate arrangements for appointments to be agreed. These bodies to function in accordance with mandates agreed through the procedures in paragraph 4 above, with appropriate and regular procedures for accountability. Further such implementation bodies and mechanisms may be established in other areas, by agreement of the Council through the procedures in paragraph 4 above.
8. These arrangements to be capable of development, by agreement between each side within the Council and after the endorsement of the Northern Ireland Assembly and the Oireachtas, subject to the limitation of the extent of the competences and responsibilities of the two administrations.
9. Failure to reach agreement on designated matters to be considered by one of the plenary sessions. By agreement between the two sides experts could be appointed to consider a particular issue and report.

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10. The necessary costs of the Council and implementation bodies and mechanisms to be funded by the two Administrations as a necessary public function.

11. This expenditure to be audited jointly by the Comptroller and Auditor-General's Office and by the Northern Ireland Audit Office. Their joint report to be submitted simultaneously to the Oireachtas and to the Assembly.

12. The Council to be supported by a Secretariat, staffed by members of the Northern Ireland Civil Service and the Irish Civil Service. The Secretariat to service the meetings and functions of the Council and to take on other such tasks as both sides may agree.

13. Each side within the Council to consult on the European Union dimension of matters within the designated areas, and consider agreed approaches towards proposals in these areas under consideration in the EU framework, with arrangements to ensure that the views of the Council can be taken into account by each sovereign Government in determining its approach in appropriate EU meetings.

f/north-south Ministerial Council dca

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