

**The Office of the First Minister  
and Deputy First Minister**

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**FROM: ROSALIE FLANAGAN**  
**7 NOVEMBER 2000**

**cc Mr McCusker**  
**Mr Mackenzie**  
**Dr McCormick**  
**Mr McCartney**  
**Mr Angus**  
**Mrs Daly**  
**Mrs Kerr**

**TO: LEO O'REILLY**

**PEACE II OPERATIONAL PROGRAMME – TEXT ON POLITICAL CONTEXT**

1. I am replying to your minute of 25 October on the above. I apologise for the delay in responding.
2. I attach a somewhat revised version of your text which omits some of the historical information about the new institutions which I do not think is required in order to achieve the purpose set out in your minute to me. I have also re-ordered the material to avoid repetition and added some additional references to bolster the "partnership approach" which I think you are trying to stress.

*Rosalie Flanagan*

**ROSALIE FLANAGAN**  
**28420**

# **CHAPTER 1: Introduction**

## **1.1 Peace II Programme**

The continuing commitment of the European Union to support Northern Ireland's transition to a more peaceful and stable society was clearly demonstrated by the decision of the European Council in Berlin in March 1999 to continue the Peace Programme for Northern Ireland and the Border Counties of Ireland for a further 5 years (2000-2004).

The EU Programme for Peace and Reconciliation in Northern Ireland and the Border Counties of Ireland (Peace II) is a distinctive European Union Structural Funds Programme which will assist Northern Ireland and the Border Region to address the legacy of the violence and troubles of the past 30 years and to take advantage of opportunities arising from the peace process. It will carry forward the distinctive aspects of the EU Special Support Programme for Peace and Reconciliation (1995-1999) (Peace I) with a new economic focus.

The implementation of the Belfast Agreement (April 1998) sets a new political context in Northern Ireland within which the Peace II Programme will be implemented.

## **1.2 New Institutional Arrangements**

The Belfast Agreement set out arrangements for a devolved administration in Northern Ireland. The Agreement reflected three strands of relationships within Northern Ireland, between Northern Ireland and Ireland, and between the London and Dublin Governments, and between those Governments, representatives of the devolved institutions in Northern Ireland, Scotland and Wales, and representatives of the Isle of Man and the Channel Islands.

### **1.2.2 Northern Ireland Assembly**

Power was devolved to the Northern Ireland Assembly on 2 December 1999.

The Assembly is the prime source of authority for all devolved responsibilities. It has full legislative and executive authority – that is, the power to make laws and take decisions on all the functions of the Northern Ireland Departments.

Votes on specified matters require cross-community support in the Assembly.

### 1.2.3 **Departmental Committees**

The Assembly has 10 Statutory Committees for Departments other than OFMDFM with a Chair and Deputy Chair allocated using the proportional d'Hondt System. Membership of Committees is in broad proportion to party strengths in the Assembly to ensure that the opportunity of Committee places is available to all Members.

Each Committee has a scrutiny, policy development and consultation role in relation to its Department and a role in the initiation of legislation. They have power to:-

- consider and advise on Departmental budgets and annual plans within the overall budget allocation;
- approve relevant secondary legislation and take the Committee stage of relevant primary legislation;
- call for persons and papers;
- initiate enquiries and make reports; and
- consider and advise on matters brought to the Committee by its Minister.

A non-statutory Committee has also been set up to carry out a similar role in relation to the Office of the First Minister and Deputy First Minister.

### 1.2.4 **Northern Ireland Departments**

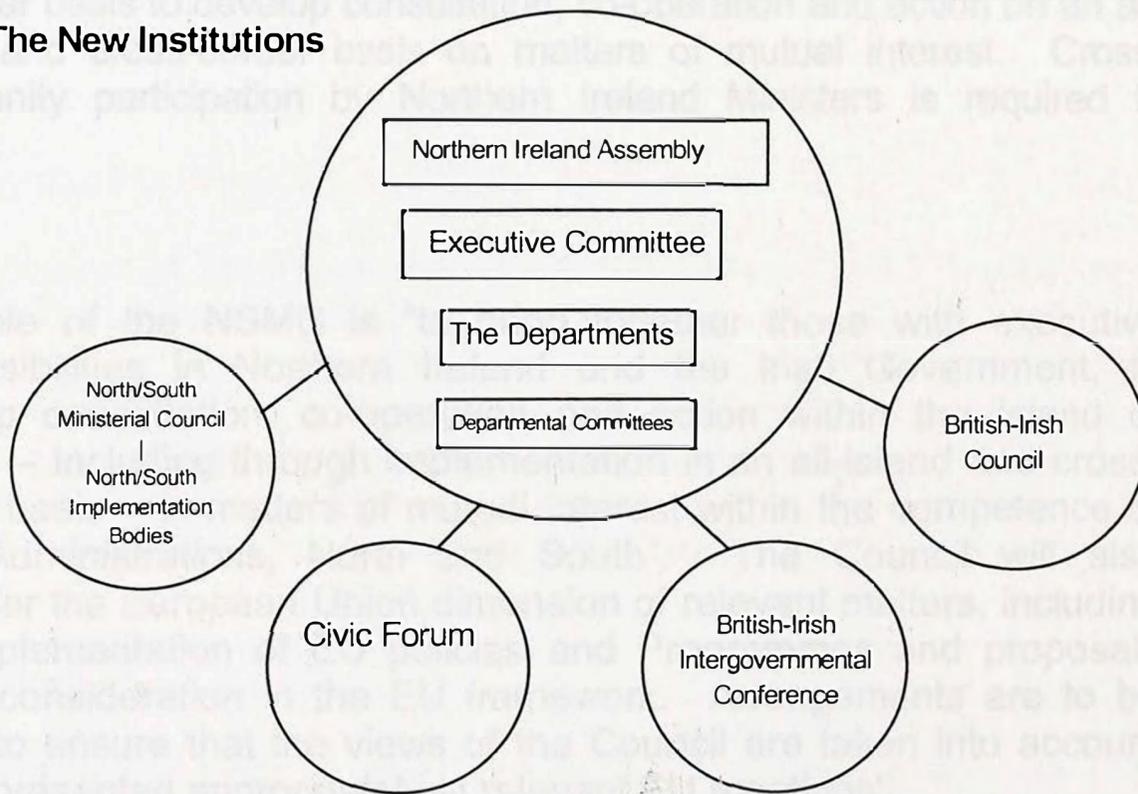
Details of the responsibilities of the Office of the First Minister and Deputy First Minister which is headed by the First Minister and Deputy First Minister and of each of the 10 Northern Ireland Departments are set out in Annex 1.

### 1.2.5 Executive Committee

The Assembly has elected, on a cross-community basis, a First Minister, David Trimble, and a Deputy First Minister, Seamus Mallon; ten Ministers with responsibility for the Northern Ireland Departments have been selected on the basis of party representation in the Assembly. Together these Ministers make up the Executive Committee of the Northern Ireland Assembly.

The Executive Committee meets to discuss and agree on issues which cut across the responsibilities of two or more Ministers. It prioritises executive business and recommends a common position where necessary.

#### The New Institutions



The Executive Committee will agree each year and review as necessary, a Programme for Government with an agreed budget. This will be subject to approval by the Assembly, after scrutiny in Assembly Committees, on a cross-community basis.

### 1.2.6 **The North/South Ministerial Council**

North/South Co-operation was placed on a new basis with the establishment of the North/South Ministerial Council (NSMC). The North/South provisions of the Good Friday Agreement, provided for the setting up of a NSMC and outlined a new institutional framework and context within which co-operation between the two parts of the island was to be taken forward. This provided a strategic focus for North/South Co-operation and a foundation for the Common Chapters in the Structural Funds Plan for Northern Ireland (2000-2006) and the National Development Plan for Ireland.

The NSMC was established on 2 December 1999. It brings together Ministers from Northern Ireland and the Irish Government, and meets on a regular basis to develop consultation, co-operation and action on an all-island and cross-border basis on matters of mutual interest. Cross-community participation by Northern Ireland Ministers is required in NSMC.

The role of the NSMC is "to bring together those with executive responsibilities in Northern Ireland and the Irish Government, to develop consultation, co-operation and action within the island of Ireland – including through implementation in an all-island and cross-border basis – in matters of mutual interest within the competence of both Administrations, North and South". The Council will also 'consider the European Union dimension of relevant matters, including the implementation of EU policies and Programmes and proposals under consideration in the EU framework. Arrangements are to be made to ensure that the views of the Council are taken into account and represented appropriately at relevant EU meetings'.

### 1.2.7 **North/South Implementation Bodies**

Six new North/South Implementation Bodies were established by international agreement between the British and Irish Governments, on 2 December 1999. These bodies will implement policies agreed by Ministers in the NSMC.

The new bodies are:-

The Special EU Programmes Body;

The Food Safety Promotion Board;

The Trade and Business Development Body;

Waterways Ireland;

The Foyle, Carlingford and Irish Lights Commission; and

The North/South Language Body (known in Irish as An Foras Teanga or in Ulster-Scots as Tha Boord o Leid).

The Implementation Bodies have an important, new role to play in economic development, particularly those with responsibility for the promotion and development of North-South Co-operation on Trade and Business, Inland Waterways, Aquaculture and Marine Matters and Special EU Programmes.

Six areas were agreed for co-operation through existing bodies in each jurisdiction:- Agriculture; Tourism; Transport; Environment; Education and Health.

#### 1.2.8 **The Special EU Programmes Body**

In the context of EU Programmes and this Operational Programme in particular, the Special EU Programmes Body will have a significant role. It will be responsible for the administration of the new Peace Programme, INTERREG III and the cross-border elements of the other Community Initiatives (LEADER III, EQUAL, URBAN). It will also be responsible for monitoring and promoting the implementation of the Common Chapter on North-South Co-operation.

#### 1.2.9 **The British-Irish Council**

The British-Irish Council will promote the harmonious and mutually beneficial development of relationships among the peoples of the United Kingdom and Ireland. It is made up of representatives of the British and Irish Governments, of the devolved institutions in Northern Ireland, Scotland and Wales and of the Isle of Man and the Channel Islands.

The British-Irish Council will exchange information, discuss, consult and use best endeavours to reach agreement on matters of mutual interest.

The Council has decided as a priority to examine and develop policies for co-operation on drugs, social exclusion, the environment and transport. Other areas for discussion will include agriculture, tourism, culture, health, education, approaches to EU issues, links between cities, towns and local districts, sporting activity and minority and lesser used languages.

#### 1.2.10 **British-Irish Intergovernmental Conference**

The British-Irish Intergovernmental Conference has replaced the Anglo-Irish Intergovernmental Council and the Intergovernmental Conference established under the 1985 Anglo-Irish Agreement. It will promote bilateral co-operation on matters of mutual interest between the British and Irish Governments. Relevant Northern Ireland Ministers are involved in meetings of the Conference relating to non-devolved Northern Ireland matters.

#### 1.2.11 **The Civic Forum**

The Civic Forum consists of 60 members representative of the business, trade union, voluntary and other sectors of the Northern Ireland community, and a Chairperson appointed by the First Minister and Deputy First Minister. It will act as a consultative mechanism on social, economic and cultural matters.

#### [1.2.12 **Excepted and Reserved Matters**

The Secretary of State for Northern Ireland remains responsible for matters not devolved to the Northern Ireland Assembly. These include policing, security policy, prisons, criminal justice, international relations, taxation, national insurance, regulation of financial services and the regulation of telecommunications and broadcasting. The Secretary of State will continue to represent Northern Ireland interests in the United Kingdom cabinet.]

### 1.3 **Local Government in Northern Ireland**

The system of local Government has been in operation in its current form since 1973. It consists of a single tier of 26 District Councils based on the main population centres. The districts vary considerably in area and resources and populations range from some 15,400 to 283,600.

There are 582 councillors in the 26 District Councils. They are elected for a 4-year term of office under proportional representation, using the single transferable vote system.

#### 1.3.1 **Functions**

All District Councils have the same range of functions though a different emphasis may be placed on them in some areas (eg tourist functions in the coastal areas).

Their functions can be divided into 3 groups – direct, representative and consultative.

Direct functions give councils responsibility for a wide range of local services. These include the provision and management of recreational, social, community and cultural facilities; environmental health; refuse collection and disposal; street cleansing; the provision and management of tourist development facilities; the promotion of economic development; consumer protection; the enforcement of building regulations; litter prevention; management of cemeteries and crematoria; miscellaneous licensing registration provisions; and dog control.

Representative functions permit councils to nominate representatives to sit as members of various statutory bodies established to administer regional services such as education and library services, health and social services, drainage services and fire protection.

Consultative functions allow councils to represent the views of their population on the way in which regional services are operated throughout each district. This consultative role covers functions such as planning, roads, water and conservation which are centrally administered and where there is an obligation, either by statute or by voluntary agreement to consult district councils about proposals affecting their area.

Councils employ some 8500 people and are responsible for substantial public funds – in 1998/99 £406m.