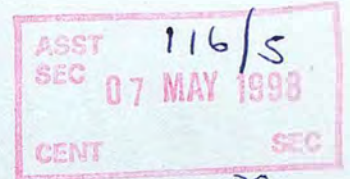


by: New file for this (+ the one  
weekly bullet:-

"Overall Agreement: Implementation -  
Workplan for the Assembly".



FROM: D J R HILL  
Constitutional & Political Division  
7 May 1998

D 4/5

David Lessed via PO  
8/5  
(with Po/Mr Murphy)  
by: Pl log/murphy  
interest in going to X.

cc list below

D 7/5

PS/Mr Murphy

### TIMING OF DEVELOPMENTS AFTER THE ELECTION: THE ASSEMBLY

**Issue:** How might developments after the elections on 25 June be choreographed, in the interests of minimising political controversy at a sensitive time and getting the Assembly off to the best possible start.

**Timing:** Not urgent, but an early steer from Ministers would assist planning and it may be desirable to begin to set public expectations and encourage the parties and the Irish Government to plan on similar lines.

**Recommendation:** That Ministers endorse the suggested timetable set out in Annex A. A brief discussion with relevant officials within the next week would be helpful.

IX

It would be helpful in handling current political exchanges with the parties and the Irish Government to have a reasonably clear view in our own minds of what should happen in the Assembly in the days and weeks following the Assembly elections of 25 June.

Mr Brooker will be submitting separate advice (in response to Mr Kyle's minute to me of 29 April) on the overall timetabling of all the various elements of the Good Friday Agreement: this submission focuses on the Assembly. My submission of 5 May (appointing the Executive Committee) suggested that we explore with the various parties and the Irish Government the case for deferring the appointment of shadow members of the Executive: this submission touches briefly on that point but covers a range of other timetabling issues. It also builds in the notion of an "implementation review meeting", canvassed in my submission of 5 May on "decommissioning".

Annex A sets out a sequence of steps which need to happen if the Assembly is to function effectively and suggests a possible timetable. A brief commentary summarises the main considerations, but a meeting may be the best way of exploring all the various options.

**(Signed)**

D J R HILL  
Constitutional & Political Division

cc PS/Secretary of State (B&L)  
PS/PUS (B&L)  
PS/Mr Semple  
Mr Jeffrey  
Mr Stephens  
Mr Bell  
Mr McCusker  
Mr Watkins  
Mr Brooker  
Mr Maccabe  
Mr Ferguson  
Mr Whysall  
Mr Warner  
Mr May  
Mr Johnston  
Mr Sanderson, Cab Off  
Mr Fergusson, RID

## DEVELOPMENTS AFTER THE ELECTION: THE ASSEMBLY

### Possible sequence and timing of developments

Target Dates	MAIN DEVELOPMENTS	COMMENTARY
ASAP	1. Determine location of Assembly	<ul style="list-style-type: none"> <li>• During shadow mode and including its first substantive meeting</li> <li>• A matter for the Secretary of state to determine, after consultation</li> </ul>
By 25 June	2. Finalise interim standing orders	<ul style="list-style-type: none"> <li>• Near final draft to be ready by 1 June</li> <li>• Case for discussion with at least the main parties</li> </ul>
By 25 June	3. Specify date/time and location of Assembly's first meeting	<ul style="list-style-type: none"> <li>• A matter for the Secretary of State although consultation would be appropriate</li> <li>• The reasons for deferring the first meeting until a few weeks after the elections are set out below</li> </ul>
21 July	4. Identify initial presiding officer	<ul style="list-style-type: none"> <li>• A matter for decision by the Secretary of State but it would be appropriate to consult party leaders</li> <li>• This <u>could</u> be done on a contingency basis before the election to minimise subsequent delay: but it would be much more appropriate to consult them after the election when the membership of the Assembly is known</li> <li>• One option would be to nominate an explicitly temporary appointment, to take the Chair while the Assembly elects its own Chair and Deputy Chair on a cross community basis, but the holder could (like John Gorman) end up in office for a very long time in the absence of agreement on a replacement</li> <li>• An alternative would be to nominate someone (perhaps an Alliance party member?) who would command general respect and would be a serious candidate for permanent Chair of the Assembly.</li> </ul>

27/28 July	5. First meeting of the Assembly	<ul style="list-style-type: none"> <li>• Better than meeting immediately after the elections: allows time for Secretary of State to identify initial presiding officer; enables elected members to be briefed on administrative arrangements and to familiarise themselves with Assembly facilities; gives parties a breather and time to work out the implications of the election results; avoids risk of what could be a fraught meeting (Sinn Fein taking seats etc) in the week before Drumcree; allows Unionist electorate to acclimatise to the notion of Sinn Fein representatives taking seats/office; defers the point at which the Executive Committee would need to be formed; gives UUP and SDLP time to concert their tactics; maximises the chances of choreographing a successful initial meeting of the Assembly.</li> </ul>
	5a. Presiding officer invites members to declare their "designation" as Unionists, Nationalists or "other".	
	5b. Nominations invited for Chair/Deputy Chair of the Assembly	<ul style="list-style-type: none"> <li>• Successful candidates will require cross community support</li> <li>• Election could be run as a slate</li> <li>• Failure to make a successful nomination should not be allowed to inhibit further progress in the Assembly</li> </ul>
	5c. Nominations invited for First Minister/Deputy First Minister	<ul style="list-style-type: none"> <li>• The Agreement makes clear that nominations must be for a slate, rather than separate individuals</li> <li>• Successful candidates will require cross community support</li> <li>• Successful candidates to take initial pledge of office</li> </ul>

	5d. ? Selection of first [six] Shadow Ministers to join the First Minister and Deputy First Minister in an "Assembly Steering Group"	<ul style="list-style-type: none"> <li>• They would be Ministers "without portfolios" at this stage</li> </ul>
	5e. ? Appointment of a Business Committee	<ul style="list-style-type: none"> <li>• A better (?) alternative to an Assembly Steering Group. Standing orders could specify that every party with at least two Assembly members must be represented on the Committee</li> </ul>
	5f. Initial consideration of any "formal matter" referred to the Assembly by the Secretary of State (see below)	<ul style="list-style-type: none"> <li>• Likely subjects include the drawing up of standing orders for the full Assembly, and North/South work programme</li> </ul>
	5g. ? Appointment of a Committee on Standing Orders and Working Practices	<ul style="list-style-type: none"> <li>• The preparation of standing orders and proposals on working practices is one of the matters which could be referred to the Assembly by the Secretary of State</li> <li>• Action (such as the establishment of a Committee) could be deferred until a slightly later stage if necessary</li> </ul>
July/August	6. Initial exchanges between the First Minister/Deputy First Minister and Government Ministers and officials	<ul style="list-style-type: none"> <li>• Could extend to Assembly Steering Group and/or party leaders</li> <li>• Briefing on machinery of government issues. Ministers and officials to offer practical guidance on appropriate options</li> <li>• Preliminary arrangements to provide official support to the First Minister/Deputy First Minister and, in due course, the shadow Executive Committee</li> <li>• Preliminary exchanges on preparations for discussions in the shadow North/South Ministerial Council on areas for co-operation and joint implementation</li> </ul>

	7. Specification of Ministerial portfolios	<ul style="list-style-type: none"> <li>• A matter for First Minister and Deputy First Minister [after consultation with the Assembly Steering Group?] possibly subject to formal ratification by the Assembly</li> <li>• The requirement to specify portfolios (by a certain date?) could be in standing orders</li> <li>• All Northern Ireland Departmental responsibilities should be covered; some portfolios might include non-departmental issues (eg justice and home affairs, EU co-ordination)</li> <li>• The definition of portfolios should also clarify the respective roles and responsibilities of the First Minister and Deputy First Minister, including for the handling of external affairs</li> </ul>
August	8. (Possibly) First Minister/Deputy First Minister [and Assembly Steering Group] meet Irish Government representatives in shadow North/South Ministerial Council	<ul style="list-style-type: none"> <li>• To agree work programme designed to allow decisions on areas of co-operation and joint implementation to be reached by 31 October</li> </ul>
27/28 August or 3/4 Sept	9. Second meeting of the Assembly	
	9a. Assembly ratifies (on a cross community basis?) the specification of Ministerial portfolios	<ul style="list-style-type: none"> <li>• Proposals to be put by the First Minister and Deputy First Minister jointly</li> </ul>
	9b. Presiding officer applies the D'Hondt procedure resulting in the formal appointment of up to 10 Ministers to the various portfolios	<ul style="list-style-type: none"> <li>• Nominees to make initial pledge of office</li> </ul>

	9c. Assembly Committees formally established, including one for each Minister	
	9d. Presiding officer applies the D'Hondt procedure to appoint Chairs and Deputy Chairs of Departmental Committees	<ul style="list-style-type: none"> <li>• ? Officers of other Standing Committees to be appointed on a basis which commands cross community support, on a recommendation from the Business Committee</li> </ul>
	9e. Presiding officer appoints members to Committees on a basis which ensures representation broadly proportional to party strengths in the Assembly and gives every Assembly member an opportunity to serve on a Committee	
Sept/Oct	10. Programmes of familiarisation/briefing for shadow Ministers, Committee members	<ul style="list-style-type: none"> <li>• Discussions between (NIO) Ministers and Shadow Ministers on current issues, ways in which the Assembly should be consulted on current and future budgetary, legislative issues etc</li> </ul>
Sept/Oct	11. Shadow Executive Committee meets	
Sept/Oct	12. Shadow North/South Ministerial Council meets	<ul style="list-style-type: none"> <li>• Refine work programme and begin to move towards decisions</li> </ul>

By 31 Oct	13. Shadow North/South Ministerial Council reaches decisions on first six implementation bodies, and other areas of co-operation	
? Nov	14. Meeting of both Governments and relevant parties under independent chairmanship to review overall progress in implementing the Agreement	<ul style="list-style-type: none"> <li>• Could be the first of a series of meetings</li> <li>• Series could start earlier, eg in October.</li> </ul>