



An Chartlann Náisiúnta
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NORTHERN IRELAND TALKSAreas of agreement and areas of disagreement/still for decisionSTRAND ONEAREAS OF AGREEMENT

- Assembly
- 85 Members, elected by PR;
 - fixed five year term;
 - legislative powers in socio-economic areas;
 - committees with role to be defined;
 - weighted majority voting.
- "Panel"
- 3 members elected by PR from one NI wide constituency (as for European Parliament);
 - some "watchdog" arbitration and promotional role;
 - other powers yet to be defined.
- Ministries/Heads of Department
- Allocated broadly in proportion to party strengths in Assembly.
- Secretary of State
- Secretary of State remains responsible to Westminster for non-transferred matters.
- Bill of Rights
- Entrenched Bill of Rights

AREAS OF DISAGREEMENT IN STRAND ONE

Who appoints executive body?

- The Assembly (Unionist Parties)
- The "Panel" (SDLP)
- The Secretary of State (Alliance)

Who heads Government Depts?

- Chairperson of Assembly Committees (Unionist Parties)
- Six person Commission (either the "Panel" plus three, or six appointed by Panel) (SDLP)
- Heads of Department appointed from Assembly by Secretary of State (Alliance).

Important Points still in abeyance

- Powers to be devolved.
- Precise role and powers of the "Panel".
- How Committee chairpersons could avoid being "captive" to the majority on their Committee.
- Percentages for weighted majority and for threshold for referral of disputed matters to Panel or elsewhere.
- Relations between new institutions and the EC.

STRAND TWO

AREAS OF AGREEMENT

- General acceptance of some form of North-South structures (subject to a unionist reservation about changes in the Irish Constitution).
- Any structures would operate by consensus.
- Agreement on some very general underlying principles e.g. accountability, capacity for growth, etc. (of no greater operational significance).

AREAS OF DISAGREEMENT

Constitutional Issues

UK, Unionist Parties, Alliance

- Formal recognition of UK status of Northern Ireland by amendment of Article 1 of the Agreement and the Irish Constitution.

Irish Government, SDLP

- fully balanced treatment of both aspirations.
- amendment of the Irish Constitution to be considered only as part of an acceptable package.

North-South Structures

Unionist Parties

- Initially low-key and consultative, but with a "capacity to grow".
- Linking a non-executive Assembly Committee and the Oireachtas.
- Under "East-West" umbrella.

Irish Government, SDLP

- Strong executive role, possibly operating along lines of European Council of Ministers.

- Involving Ministers/Heads of Department from North/South.

British Government

- Anything which is acceptable to unionists and nationalists, but implicitly endorsing unionist position.

Alliance

- "Tripartite Arrangement" involving two Governments and Northern Ireland representatives, possibly with limited executive role on some joint bodies.

Points in abevance

- Any modifications to Anglo-Irish Agreement/Conference consequent on new structures.
- Role, if any, of British Government in any new North/South structures.
- Remit and areas of responsibility of any new North/South structures.
- Ways in which new arrangements might be endorsed by the electorates.

MAIN POINTS FOR CONSIDERATION BY GOVERNMENT

Constitutional Change

The Unionist parties would now find it very difficult to accept any new agreement which did not involve some constitutional change on our side. The Government have taken the position that any language in a unionist direction on the constitutional issues should be fully balanced by language catering for the nationalist position, and not merely be a trade-off of institutional arrangements for constitutional concessions. The broad political requirements for such a balanced treatment of constitutional

issues need to be considered

North-South Institutions

The Government need to consider the extent to which they would transfer executive power to any new all-island institutions the areas of responsibility where this might be done ,and the issues of political and financial accountability to the Oireachtas.

Department of Foreign Affairs
19 October, 1992