



**BUILDING ON
THE NORTH -
SOUTH
AGENDA**

FEBRUARY 2004

INTRODUCTION

The SDLP has always championed the North/South agenda. We believe that it is helping to improve the lives of all on this island. Working together breaks down the barriers which have hindered development and made social and economic progress more difficult.

The North/South agenda is also vital to provide an Irish dimension and recognise the full set of relationships on this island. ***The SDLP is clear that there can be no Assembly without strong and developed North/South cooperation and implementation bodies and a functioning North South Ministerial Council (NSMC).***

The six implementation bodies are already working well, as is Tourism Ireland. North/South cooperation is also delivering tangible benefits to all on the island. Yet the full potential of Strand 2 has yet to be realised. Key parts have not yet been implemented, while there are important areas for cooperation and implementation still to be developed or delivered. ***We stress our commitment not merely to North/South cooperation, but also to additional North/South implementation bodies.***

In this submission to the review, we therefore set out our agenda for developing North/South action.

1. Ending disruption of the North/South Ministerial Council

During devolution the work of the NSMC was impaired by the failure of DUP Ministers to attend. This impacted, in particular, on badly needed North/South work on transport.

It is already a duty of Ministers to attend NSMC meetings, having been nominated to do so. ***The SDLP believes that the pledge of office should also be amended to make explicit that Ministers must attend NSMC, and indeed Executive, meetings.***

During devolution, there were also serious abuses of the NSMC nomination procedure. On 28 October 2000 David Trimble made clear that he would not nominate all Ministers on an inclusive basis because of the failure to make progress on IRA decommissioning. Again on 21 September 2002 David

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Trimble announced a further disruption of the NSMC by refusing to send accompanying unionist ministers to education and health meetings.

While the refusal to nominate Sinn Fein ministers in October 2000 was found to be illegal, the courts did not clearly find that there was a duty under the Northern Ireland Act to nominate the relevant Minister. The SDLP regrets this interpretation of the Act, which though less than clear, we nonetheless believe does impose such an obligation.

However, under the Good Friday Agreement the minister to be nominated should be the “relevant minister”, that is to say the minister with executive responsibility for the issue being handled at NSMC. The Agreement only envisages one exception to this – where the minister will not participate normally.

The SDLP calls for amendments to the Northern Ireland Act to implement the Agreement better by:

- ***clarifying that the First Minister and Deputy First Minister are under a duty to nominate the relevant minister to NSMC meetings, that is to say the minister with executive responsibility; and***
- ***clarifying that the only exception to that duty is where that minister will not participate normally, be it because of illness, political stance or for other reasons.***

Should the relevant minister refuse to attend an NSMC meeting for which he is nominated, this would be in breach of his ministerial responsibility under the Act. The Act also provides that a minister *may* authorize another minister to enter into agreements or arrangements on his behalf.

The SDLP believes that where the minister refuses to attend, because he is in breach of his ministerial responsibility, it should be clarified that he must authorize another minister to enter into agreements or arrangements on his behalf. In the event that no minister of a particular designation is willing to attend or believes it necessary to do so, the requirement of cross-community participation should also be dispensed with.

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Finally, the SDLP notes that others have called for the abandonment of the designation system in the Assembly. Any move from the designation system would also mean the scrapping of the requirement of cross-community participation in the NSMC.

2. Ensuring accountability and momentum on North/South

(a) North/South Consultative Forum

The SDLP believes that North/South action works to the benefit of all on the island. It is vital, however, to realise its full potential that the NSMC sets itself the right priorities.

That is why it is so important that the voices of stakeholders are heard. They can highlight where new North/South action is required, or where existing actions are not delivering as well as they should.

At the July 2002 plenary of the North/South Ministerial Council, an outline structure was agreed for a North/South Consultative Forum, as envisaged by the Good Friday Agreement. Specifically, it was agreed that:

“A twice yearly conference will take place, alternating between north and south, comprising representatives of civil society, north and south. The planning and organization of the first conference would be undertaken by a steering committee drawn from the Northern Ireland Civic Forum and the social partners in the South participating in the Central Review Mechanism of the Programme for Prosperity and Fairness, in liaison with the two administrations. The steering committee will also invite representatives from a range of relevant organizations, north and south to participate in the conferences.”

Because of suspension, the civic forum has not met – although there is nothing to stop the Secretary of State reconvening it. As a result, the formation of the North/South Consultative Forum has also been frustrated.

The SDLP calls for:

- *the reconvening of the Civic Forum and*
- *the convening of the North/South Consultative Forum without further delay. This should not depend on the lifting of suspension.*

(b) North/South Parliamentary Forum

The Good Friday Agreement also envisaged a North/South Parliamentary Forum. Again, this is vital to ensure both accountability and set proper directions for the NSMC.

It would also provide, for the first time since partition, a forum for all the parties on the island to discuss and debate issues of common concern.

At the July 2002 plenary of the NSMC, it was agreed that officials from the two administrations North and South should make contact with officials from the Dail and Assembly with a view to establishing the forum. Suspension interrupted this work.

The SDLP calls for the convening of the North/South Parliamentary Forum without delay upon the lifting of suspension, with preparatory administrative steps being taken now.

(c) Accountability to the Assembly

The SDLP rejects the notion that ministers were not accountable to the Assembly for their work at the NSMC. They were every bit as accountable to the Assembly for this work as they were for their work in the Executive and in their departments. Indeed, in some respects they were more accountable. In particular, they were obliged to make an oral statement to the Assembly after every NSMC meeting. This is not a requirement of the Good Friday Agreement and used up time in the Assembly that could be better spent on greater priorities. *The SDLP believes that a written statement would be sufficient on most occasions, and calls for standing orders to be amended to allow this.*

3. Injecting creativity into North/South work

The SDLP believes that too often NSMC meetings took place when agreement had already been reached between officials on what actions were required. *We believe that NSMC meetings should not always be set-piece affairs with pre-determined outcomes, and accordingly call for NSMC meetings to be less formal and more creative.*

Further, we were disappointed that no meetings in cross-sectoral format ever took place. These are essential for proper joined up policy making. *The SDLP calls for meetings of the NSMC in cross-sectoral format.*

4. Getting work already agreed underway

At the July 2002 NSMC plenary meeting, and in other NSMC meetings before suspension, a range of actions were agreed which have not yet been delivered. *The SDLP does not believe that the implementation of any of these should await restoration given that they were already agreed and, in particular, calls for:*

- *the development of the all-Ireland autism centre in Middletown;*
- *the opening of the headquarters of Waterways Ireland in Enniskillen;*
- *the bringing within the auspices of the NSMC all cooperation occurring outside of it;*
- *the realisation of work on strategic development, including infrastructure and transport;*
- *the convening of the North/South consultative forum; and*
- *the development of an all-Ireland animal health strategy.*

5. New areas for cooperation and implementation

The SDLP wants to see current North South cooperation expanded so that it can reach its true potential. We stress the need not merely for additional areas of cooperation, but also of implementation.

SDLP Goals for North-South development:

Energy and infrastructure

North and South both need enormous investment in infrastructure to ensure future development. The SDLP wants to ensure that this. Our priorities are to:

- Create a **new all-Ireland transport & infrastructure body** to produce a **strategic development framework** for the island, networking air and sea-ports and economic corridors and co-ordinating key projects such as the construction of the “TENS” (Trans-European Networks).
- Accelerate the opening of an **all-Ireland energy market** to increase competition and reduce energy prices.
- Actively encourage Ofreg NI and the regulator in the South, to work together to develop a new **all-Ireland energy planning framework**.
- Continue to advocate recognition of Ireland, North and South, as a **European Energy Zone**, to assist us in reducing costs, meeting targets and improving planning.
- **Expansion of gas network** on a North-South and East-West basis.

Economy & Skills

Joint action on the economy and skills can help make the island more competitive internationally. Our priorities are to:

- Agree an **all-Ireland marketing co-operation and investment** strategy.
- Create a new **all-Ireland Research Alliance**, based on the successful Georgia Research Alliance, to work with colleges and other institutions to operate a ‘mix and match’ service with businesses, maximising the economic potential of new research as quickly as possible.
- Removal of all **cross-border trading impediments**, e.g. reducing bureaucracy associated with livestock sales.
- Establish a **North-South Further & Higher Education body** to encourage collaboration in policy, teaching, research, evaluation, recognition of qualifications and models of excellence.
- Commission the **economic research bodies** North and South to work together to produce proposals for further all-Ireland co-operation and development in social and economic policy.
- We also believe that **economic policy** generally, North and South, should be discussed and, where appropriate, coordinated at the NSMC.

- An **all-Ireland Comptroller and Auditor General** to ensure value for money of all services North and South and replacing the separate Comptrollers in each jurisdiction.

Policing and Justice

The SDLP wants to see the devolution of justice without delay. In this context new areas for North/South cooperation and new North/South bodies will have to be agreed. But the SDLP believes that this agenda is too important to await devolution – the two Governments must advance it now. Our priorities are to:

- Create an **All-Ireland Criminal Assets Bureau**, modelled on the Criminal Assets Bureau in the South, to deprive criminals of their wrongful gains without fear or favour throughout the island.
- Establish an **all-Ireland Law Commission** to research and promote harmonisation of laws.
- All-Ireland police training at the new **police training college**.
- Advance **North/South police personnel exchanges** in the agreed areas: serious crime, change management, drugs, community policing, ethical standards, criminal assets, training, immigration, traffic, personnel, fingerprinting and IT.
- Create an **all-Ireland Sex Offenders register**.

Health, Social Policy and Environment

North/South action needs to deliver not merely economic benefits, but also clear social benefits. Our priorities are to:

- Agree **All-Ireland free travel scheme for pensioners** through mutual recognition of pensioner identification, to boost tourism as well as improving cohesion of rights and benefits, island-wide.
- **Comprehensive all-Ireland research on anti-poverty strategies**.
- **Advance all-Ireland co-operation in health** to maximise opportunities for investment in specialist services and equipment which would be otherwise unaffordable in either jurisdiction.
- Develop a **waste management strategy** on the basis of North-South and East-West co-operation, to move away from landfill and maximise opportunities to ‘reduce, re-use and recycle’.
- Building on the success of the food safety body, create an **all-Ireland Public Safety Body** to build on the successful collaboration on road safety

advertising and education initiatives to work systematically to bring down the incidence of injury and fatalities arising from accidents in the home, at work and on the roads.

Food and Agriculture

The need for North/South cooperation in food and agriculture is accepted by all stakeholders. Our priorities are to:

- Establish a new **All-Ireland Food Marketing Body** to improve branding of local produce and conduct a vigorous international marketing campaign capitalising on the green, clean image of Ireland
- Complete an **All-Ireland Animal Health Strategy** – centred on the development of an effective contingency plan, with greater control of restricted herds and improved monitoring.
- Develop an **all-Ireland position on reform of the Common Fisheries Policy** to secure the future of Irish fishing.
- Develop and promote an **all-Ireland agenda** for agricultural and rural development.
- Develop and promote a **border regions agricultural liaison group** to deal specifically with animal health issues.
- All-Ireland approach to **EU fish quotas**.

Equality, community relations and rights

As Ireland, North and South, become more diverse societies, the need for joint working on promoting equality becomes ever clearer. Meanwhile, there is an urgent need to address the rights of victims throughout the island, as well as the rights agenda more generally.

Our priorities are to:

- Work to agree an **all-Ireland Charter of Rights**, to guarantee the highest standards of human rights throughout the North.
- All-Ireland action on **tackling racism**.
- The development of an all-Ireland victim-centred mechanism for **truth and remembrance**.
- Development of common effective **incitement to hatred laws**, North and South;

- Action to promote **community relations and reconciliation**, North and South.

Culture and Irish Language

Our culture and language are shared throughout the island and are clearly suitable for North/South cooperation. Our priorities are to:

- Develop **all-Ireland arts, sport, culture and leisure strategies**.
- Secure all-Ireland coverage of **RTE television & TG4**.
- **All-Ireland racing body** to regulate and promote the sport throughout the island.
- Increase all-Ireland funding for **Irish-medium television**

