

Country/entity	Ireland United Kingdom Northern Ireland
Region	Europe and Eurasia
Agreement name	Agreement between the Government of Great Britain and Northern Ireland and the Government of Ireland establishing Implementation Bodies
Date	8 Mar 1999
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Interstate/intrastate conflict(s)

Northern Ireland Conflict (1968 - 1998)

Commonly referred to as ‘the Troubles’, the most recent conflict over the territory of Northern Ireland can be framed as beginning in 1968 and ending with the Belfast Agreement (also known as the Good Friday Agreement) in 1998. While the genesis of the conflict was closely related to pressures for the state to reform with relation to discrimination against the (minority) Catholic population, the core issue of the conflict as it proceeded was the constitutional status of Northern Ireland, which was contested between the unionist/loyalist (mostly Protestant) majority, who wanted the territory to remain as part of the United Kingdom, and the nationalist/republican (mostly Catholic) minority, whose goal was to unite the six provincial counties with the Republic of Ireland. The thirty years prior to the Belfast or Good Friday Agreement were marked by inter-communal violence, active paramilitary groups, and the deployment of the British army in the province. Mediation by international actors, and dialogue between the British and Irish governments, and between the IRA and its representatives and the British Government eventually resulted in a ceasefire respected by the majority of combatants. Talks led to the Belfast or Good Friday Agreement which established a power-sharing system of governance between nationalist and unionist communities.

Close
Northern Ireland Conflict (1968 - 1998)

Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Northern Ireland peace process
Parties	For the Government of the United Kingdom of Great Britain and Northern Ireland: MARJORIE MOWLAM For the Government of Ireland: DAVID ANDREWS

Third parties	-
Description	Agreement between the Irish and British Governments establishing a North/South Ministerial Council, further to Strand II of the Good Friday Agreement. Implementation bodies are established for: inland waterways, food safety, trade and business development, special EU programmes, language and aquaculture and marine matters. Annex 1 sets out the functions of the Body. Annex 2 goes into detail about what role the bodies will exercise and their organisational structure.

Agreement document	UK_IE_990803_Agreement on Establishing Implementation Bodies.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	Groups→Racial/ethnic/national group→Substantive Page 18, Annex 2, DEFINITION, Part 5. Language, Exercise of Functions, 1.7 "Ullans" is to be understood as the variety of the Scots language traditionally found in parts of Northern Ireland and Donegal. " Ulster-Scots cultural issues" relate to the cultural traditions of the part of the population of Northern Ireland and the border counties which is of Scottish ancestry and the influence of their cultural traditions on others, both within the island of Ireland and in the rest of the world.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.



State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision

Page 1, Article 1

Under and in furtherance of Article 2 of the British-Irish Agreement the following Bodies are hereby established:

- (a) an implementation body for inland waterways, to be known as Waterways Ireland;
- (b) an implementation body for food safety, to be known as The Food Safety Promotion Board;
- (c) an implementation body for trade and business development, to be known as The Trade and Business Development Body;
- (d) an implementation body for special EU programmes, to be known as The Special EU Programmes Body;
- (e) an implementation body for language, to be known as The North/South Language Body, which shall be known in Irish as An Foras Teanga or in Ullans as Tha Boord Leid;
- (f) an implementation body for aquaculture and marine matters, to be known as The Foyle, Carlingford and Irish Lights Commission.

Page 2, Article 2

1. The functions of each Body shall be those specified in the relevant part of Annex I hereto insofar, in relation to Northern Ireland, as they relate to matters within the competence of Northern Ireland Ministers.

Page 2, Article 3

1. Each Body shall operate in accordance with the provisions of the Multi-Party Agreement, and shall in particular implement any decisions of the North/South Ministerial Council on policies and actions relating to matters within the scope of the Body's functions.

Page 2, Article 5

The North/South Ministerial Council may propose to the two Governments amendments to Annexes I and 2 hereto. Such amendments may be made by the two Governments by exchange of notes.

Page 2, Article 7

1. Each Body shall act in accordance with any direction of the British Secretary of State for Foreign and Commonwealth Affairs or the Irish Minister for Foreign Affairs necessary to ensure compliance, within their respective jurisdictions, with any international obligations of the British Government or the Irish Government other than international obligations arising under this Agreement or the British-Irish Agreement.

Page 2, Article 7

2. Such directions shall be issued only in the event that the North/South Ministerial Council is unable to reach a decision on measures necessary to ensure compliance with the above international obligations.

[Summary: Annex 2, DECISIONS, Part 7. Common Arrangements, provides procedural details for the six bodies' Accountability and Reporting, Financial Arrangements, Staffing Arrangements, Procedure, Ombudsman, Freedom of Information, and Data Protection.]

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

**Treaty
incorporation**

Page 2, Article 7

1. Each Body shall act in accordance with any direction of the British Secretary of State for Foreign and Commonwealth Affairs or the Irish Minister for Foreign Affairs necessary to ensure compliance, within their respective jurisdictions, with any international obligations of the British Government or the Irish Government other than international obligations arising under this Agreement or the British-Irish Agreement.

Page 2, Article 7

2. Such directions shall be issued only in the event that the North/South Ministerial Council is unable to reach a decision on measures necessary to ensure compliance with the above international obligations.

Page 5-6, Annex 1, Part 5. Language

One Body, with two separate parts, with the following functions:

Irish Language...

- facilitating and encouraging its use in speech and writing in public and private life in the South and, in the context of Part III of the European Charter for Regional or Minority Languages, in Northern Ireland where there is appropriate demand;...

**Civil and political
rights**

No specific mention.

Socio-economic rights

(article . establishes cross-border bodies for mostly socio-economic matters: and waterways, food safety promotion, trade and industry, EU programmes, aquaculture and marine)

Page 334, Article I

Under and in furtherance of Article 2 of the British-Irish Agreement the following Bodies are hereby established:

- (a) an implementation body for inland waterways, to be known as Waterways Ireland;
- (b) an implementation body for food safety, to be known as The Food Safety Promotion Board;
- (c) an implementation body for trade and business development, to be known as The Trade and Business Development Body;
- (d) an implementation body for special EU programmes, to be known as The Special EU Programmes Body;
- (e) an implementation body for language, to be known as The North/South Language Body, which shall be known in Irish as An Foras Teanga or in Ullans as Tha Boord Leid;
- (f) an implementation body for aquaculture and marine matters, to be known as The Foyle, Carlingford and Irish Lights Commission.

Part 2. Food Safety

A Body with the following functions:

- promotion of food safety
- research into food safety
- communication of food alerts
- surveillance of food-borne diseases
- promotion of scientific co-operation and linkages between laboratories
- development of cost-effective facilities for specialised laboratory testing.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.

Media and communication	<p>Rights related issues→Media and communication→Media roles</p> <p>Page 6, Annex 1, Part 5. Language</p> <p>One Body, with two separate parts, with the following functions: Irish Language...</p> <ul style="list-style-type: none"> - undertaking research, promotional campaigns, and public and media relations;...
Mobility/access	No specific mention.
Protection measures	<p>Rights related issues→Protection measures→Other</p> <p>Page 6, Annex 1, Part 6. Aquaculture and Marine Matters</p> <p>A Body with the following functions:</p> <p>Lough Foyle and Carlingford Lough</p> <ul style="list-style-type: none"> - promotion of development of Lough Foyle and Carlingford Lough, for commercial and recreational purposes; - existing functions of Foyle Fisheries Commission in regard to inland fisheries conservation, protection, management and development, and equivalent functions in respect of Carlingford Lough; - development and licensing of aquaculture; <p>Page 19-20, Annex 2, DEFINITION, Part 6. Aquaculture And Marine Matters, 2. Existing functions of the Foyle Fisheries Commission in regard to inland fisheries conservation, protection, management and development, and equivalent functions in respect of Carlingford Lough:</p> <p>2.1 The Body will exercise the functions formerly exercised by the Foyle Fisheries Commission, which will be dissolved, and corresponding functions in relation to the Carlingford Area. Legislation will be introduced to provide for the exercise of an inland fisheries development function in relation to the Foyle and Carlingford Areas as set out in paragraph 6 below.</p>
Other	No specific mention.

Rights institutions

NHRI	<p>Rights institutions→NHRI→Mentions of NHRI</p> <p>Page 23, Annex 2, DECISIONS, Part 7. Ombudsman, 5.</p> <p>The Body will be brought within the jurisdiction of the Northern Ireland Assembly Ombudsman and of the Irish Ombudsman who will liaise and consult with each other.</p>
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources Page 6, Annex 1, Part 6. Aquaculture and Marine Matters

A Body with the following functions:

Lough Foyle and Carlingford Lough

- promotion of development of Lough Foyle and Carlingford Lough, for commercial and recreational purposes;
- existing functions of Foyle Fisheries Commission in regard to inland fisheries conservation, protection, management and development, and equivalent functions in respect of Carlingford Lough;
- development and licensing of aquaculture;

Page 19, Annex 2, DEFINITION, Part 6. Aquaculture And Marine Matters, 1. Promotion of development of Lough Foyle and Carlingford Lough for commercial and recreational purposes:

1.1 This function is restricted to marine, fishery and aquaculture matters and will include the preparation of a strategic plan for commercial and recreational development of the Foyle and Carlingford Areas, and the promotion (including by grant aid) and co ordination of the delivery of the development strategy;

Page 19-20, Annex 2, DEFINITION, Part 6. Aquaculture And Marine Matters, 2. Existing functions of the Foyle Fisheries Commission in regard to inland fisheries conservation, protection, management and development, and equivalent functions in respect of Carlingford Lough:

2.1 The Body will exercise the functions formerly exercised by the Foyle Fisheries Commission, which will be dissolved, and corresponding functions in relation to the Carlingford Area. Legislation will be introduced to provide for the exercise of an inland fisheries development function in relation to the Foyle and Carlingford Areas as set out in paragraph 6 below.

Page 20, Annex 2, DEFINITION, Part 6. Aquaculture And Marine Matters, 6.

The legislation required to provide for the development and licensing of aquaculture and for the exercise of a development function in relation to inland fisheries in the Foyle and Carlingford Areas will, following consultation with NSMC, be brought forward in both jurisdictions before the end of 1999. Pending the enactment of such legislation, the existing statutory provisions in each jurisdiction will continue to apply.

International funds Page 5, Annex 1, Part 4, Special EU Programmes

A Body with the following functions: Until the conclusion of the current Community Initiatives the central secretariat, monitoring, research, evaluation, technical assistance and development roles currently exercised jointly in respect of INTERREG and PEACE by the Department of Finance and the Department of Finance and Personnel;

- administration of certain sectoral sub-programmes under INTERREG and PEACE (interest rate subsidy and cross border co-operation between public bodies).

In relation to post-1999 Structural Funds:

- advising North/South Ministerial Council and two Departments of Finance on negotiation with the EU Commission of post-1999 Community Initiatives and of Common Chapter;

- preparing, for the approval of the two administrations in the Council and in close consultation with the two Departments of Finance and other relevant Departments, detailed programme proposals under the new Community Initiatives (likely to be INTERREG III, LEADER III and EQUAL, and possibly a successor to PEACE);

- central secretariat, monitoring, research, evaluation, technical assistance and development roles in respect of these Initiatives;

- grant-making and other managerial functions in respect of INTERREG III and of north-south elements of programmes under other Initiatives, within the framework of the relevant overall policies of North and South respectively, and subject to the expenditure allocations and specific programme parameters agreed between the two administrations and with the EU Commission;

- monitoring and promoting implementation of the Common Chapter, which would have a specific budgetary allocation.

Page 14, Annex 2, DEFINITIONS, Part 4. Special EU Programmes, Exercise of functions, 1.1

The Body will-

- (a) prepare documentation relating to financial progress of programmes, monitoring of performance, associated reports, agendas and summary records of meetings, preparation of annual report, publicity requirements;

- (b) chair the Monitoring Committee for INTERREG II, and act as secretariat to the PEACE Monitoring Committee which will continue to be jointly chaired by the Finance Departments until 31 December 1999 or such later date as NSMC may agree; collect from Departmental Sub-Programme leaders all financial returns relating to EU expenditure and commitments (i.e. allocations under the Programmes), prepare financial tables for the Monitoring Committees, collate progress reports from Departments, prepare and submit overview reports regarding overall progress of the Programmes to the Monitoring Committees and manage physical and impact indicator monitoring;

- (c) commission any research in the form of evaluation exercises on a Programme-wide basis which may be agreed by the Monitoring Committees;

- (d) ensure that the legal requirements for evaluation in terms of agreeing and monitoring performance indicators (financial, non-financial and impact) for the Programmes, as laid down in the Structural Funds Regulations and Programme documents, are met;

- (e) be responsible for managing the technical assistance Measures of the Programmes;

- (f) manage the contract with the INTERREG Development Officer, who will continue to work with Measure Leaders in functional Departments, and liaise with the Consultative Forum within the PEACE programme;

- (g) oversee the remaining co-ordination tasks in relation to INTERREG II and act as Sub-Programme Leader in relation to the cross-border elements of PEACE, including the completion of the allocation of funds for the Cross-Border Development Sub-Programme as a whole;

- (h) act as Measure Leader for the Co-operation between Public Bodies and Business and Cultural Linkages Measures of that Sub-programme.

Business

Page 1, Article 1

Under and in furtherance of Article 2 of the British-Irish Agreement the following Bodies are hereby established:...

(c) an implementation body for trade and business development, to be known as The Trade and Business Development Body;

Page 4-5, Annex 1, Part 3, Trade and Business Development

A Body to exchange information and co-ordinate work on trade, business development and related matters, in areas where the two administrations specifically agree it would be in their mutual interest.

The specific areas of implementation would include:

- co-operation on business development opportunities, North and South;
 - devising new approaches to business development in a cross-border context, in such areas as research, training, marketing and quality improvement;
 - supporting business by making recommendations to increase enterprise competitiveness in a north-south context in areas such as skills availability, telecoms, IT and electronic commerce;
 - promotion of north-south trade and supply chains, including through business linkages and partnerships;
 - promoting cross-border trade events and marketing initiatives;
 - identifying new areas of trade between North and South;
 - promoting market awareness and trade development in a north-south context;
 - undertaking specific projects and events in relation to trade promotion, when tasked jointly on a project by project basis;
 - providing advice on specific aspects of trade promotion, when tasked jointly to do so.
- Existing economic agencies North and South would continue to be funded by and operate under the direction of their respective administrations.

Page 11, Annex 2, DEFINITION, Part 3. Trade and Business Development, Exercise of Functions, 1.1

The Body will develop co-operation on business development opportunities, North and South, including through:

- (a) reviewing the scope, extent and effectiveness of relevant existing activities undertaken by government agencies and Departments, and recommend to NSMC for consideration and decision areas where cross-border co-operation would add value, and ways of extending and deepening such co-operation;
- (b) administering a programme to enable companies to undertake joint product and process development projects of commercial benefit, with assistance of institutions where appropriate (this includes projects in which a company and an institution can co-operate on a North/South basis);
- (c) administering a pre-competitive research programme aimed at supporting commercially focused research within the third level sector, encouraging in particular projects which bring together researchers, companies and institutions, North and South; and
- (d) initiating new programmes to assist small and medium enterprises with researching and implementing joint venture partnerships on a North/South basis or jointly with overseas partners. In this area the Body will also be tasked to bring forward to NSMC within 3 months proposals on the development of a North/South equity investment fund programme taking account of the effectiveness of the existing range of equity fund provision, North and South, for consideration and decision by NSMC.

Page 11-12, Annex 2, DEFINITION, Part 3. Trade and Business Development, Exercise of Functions, 1.2

Page 15 of 21

The Body will devise new approaches to business development in a cross-border context, in such areas as research, training, marketing and quality improvement

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage

Land, property and environment→Cultural heritage→Intangible

Page 18, Annex 2, DEFINITION, Part 5. Language, Exercise of Functions, 1.7

"Ullans" is to be understood as the variety of the Scots language traditionally found in parts of Northern Ireland and Donegal. "Ulster-Scots cultural issues" relate to the cultural traditions of the part of the population of Northern Ireland and the border counties which is of Scottish ancestry and the influence of their cultural traditions on others, both within the island of Ireland and in the rest of the world.

Land, property and environment→Cultural heritage→Promotion

Page 1, Article 1

Under and in furtherance of Article 2 of the British-Irish Agreement the following Bodies are hereby established:...

(e) an implementation body for language, to be known as The North/South Language Body, which shall be known in Irish as An Foras Teanga or in Ullans as Tha Boord Leid;

Page 5-6, Annex 1, Part 5. Language

One Body, with two separate parts, with the following functions:

Irish Language

- promotion of the Irish language;
- facilitating and encouraging its use in speech and writing in public and private life in the South and, in the context of Part III of the European Charter for Regional or Minority Languages, in Northern Ireland where there is appropriate demand;
- advising both administrations, public bodies and other groups in the private and voluntary sectors;
- undertaking supportive projects, and grant-aiding bodies and groups as considered necessary;
- undertaking research, promotional campaigns, and public and media relations;
- developing terminology and dictionaries;
- supporting Irish-medium education and the teaching of Irish. Ulster-Scots
- promotion of greater awareness and use of Ullans and of Ulster-Scots cultural issues, both within Northern Ireland and throughout the island.

Page 16, Annex 2, DEFINITION, Part 5. Language, Exercise of Functions, 1.1

The functions of Bord na Gaeilge in regard to the promotion of the Irish language and its staff, assets and obligations will be transferred to the Body. Bord na Gaeilge will be dissolved. The functions of the Irish Minister for Arts, Heritage, Gaeltacht and the Islands in relation to financial support for certain voluntary Irish language organisations will also be transferred to the Body.

Page 17, Annex 2, DEFINITION, Part 5. Language, Exercise of Functions, 1.2

In carrying out its functions of developing terminology and dictionaries and supporting Irish-medium education and the teaching of Irish, the Body, having regard to the legislative and other curriculum requirements applicable to each jurisdiction-

- (a) (i) may review the curriculum resources made available for Irish-medium education and the teaching of Irish, including the provision of appropriate textbooks, other teaching materials and teaching aids;
- (ii) may conduct research into any matters relating to the provision of Irish-medium education and the teaching of Irish in schools or other places, including the methods of teaching employed, the curricula taught and the assessment procedures adopted;
- (iii) may publish, in such form as it considers appropriate, the outcomes of its research and reviews, including recommendations for action;
- (b) will exercise the functions exercised prior to the establishment of the Body by the Irish Department of Education and Science, through An Grim, with respect to the publication of books in Irish in support of Irish-medium education and the teaching of Irish in schools and elsewhere;
- (c) will exercise the functions exercised prior to the establishment of the Body by the

Environment

Page 4, Annex I, Part 2. Food Safety

A Body with the following functions:

...- surveillance of food-borne diseases

...

[Summary] Section of agreement deals with co-operation on food safety.

**Water or riparian
rights or access**

Page 1, Article 1

Under and in furtherance of Article 2 of the British-Irish Agreement the following Bodies are hereby established:

- (a) an implementation body for inland waterways, to be known as Waterways Ireland;...
- (f) an implementation body for aquaculture and marine matters, to be known as The Foyle, Carlingford and Irish Lights Commission...

Page 2, Article 4

In relation to the Body for aquaculture and marine matters, Articles 2 and 3 shall apply subject to any arrangements which the two Governments shall determine for the provision and maintenance of aids to navigation pursuant to paragraph 7.1 of Part 6 of Annex 2 hereto.

Page 4, Annex 1, Part 1, Inland Waterways

A Body with the following functions:

Management, maintenance, development and restoration of the inland navigable waterway system throughout the island, principally for recreational purposes;

- immediately in respect of the Shannon-Erne Waterway and of the possible restoration and development of the Ulster Canal;
- progressively thereafter, in respect of the wider Shannon-Erne system and the island's other waterways (principally the Royal Canal, Grand Canal, Barrow and Lagan).

The Body would take on the functions, together with the appropriate support functions, exercised in that regard by the Waterways Service of the Department of Arts, Heritage, Gaeltacht and the Islands and the Rivers Agency of the Department of Agriculture in Northern Ireland, and would also take over the functions of Shannon-Erne Waterway Promotions Ltd.

Page 6, Annex 1, Part 6. Aquaculture and Marine Matters

A Body with the following functions:

Lough Foyle and Carlingford Lough

- promotion of development of Lough Foyle and Carlingford Lough, for commercial and recreational purposes;
- existing functions of Foyle Fisheries Commission in regard to inland fisheries conservation, protection, management and development, and equivalent functions in respect of Carlingford Lough;
- development and licensing of aquaculture;
- development of marine tourism.

Lighthouses

- existing functions of the Commissioners of Irish Lights in respect of providing and maintaining aids to navigation along the coast of the whole island of Ireland and its adjacent seas and islands. Given that the CIL functions in an East-West context, arrangements to maintain linkage with the relevant British authorities.

Page 7, Annex 2, DEFINITIONS, Part 1. Inland Waterways, Exercise of Functions

Part I of Annex I sets out the functions of the Body. The Body will exercise these functions in accordance with the following arrangements and those set out in Part 7 below.

Page 7, Annex 2, DEFINITIONS, Part 1. Inland Waterways, Exercise of Functions, 1.1

The Body will with immediate effect- (a) be responsible for the management, maintenance and development principally for recreational purposes of the Shannon-Erne Waterway;

- (b) take forward appropriate studies and appraisals in relation to the possible restoration of the Ulster Canal; and

- (c) take over the control of Shannon-Erne Waterway Promotions Ltd.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.

Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.
Related cases	No specific mention.

Source	Irish DFA http://www.irishstatutebook.ie/1999/en/act/pub/0001/sched.html
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