



**CENTRAL SECRETARIAT  
BLOCK B  
CASTLE BUILDINGS  
BT4 3SG**

**TEL: (01232) 528186/528183**

**FAX: (01232) 528135**

*Ms McAlister } grateful for any updates as usual pl.  
Ms Smith }  
Mr Morrison } For return by c.s.p. 21/10/99.*

**FAX TRANSMISSION**

*Liz  
20/10*

TO..... 1. DED - (ROY GAMBLE) - 29547  
..... 2. DENI - PRIVATE OFFICE - 59777  
..... 3. CCRU - 44500  
..... 4. IFF - 763313

FROM..... Liz HALLIDAY

TEL NO..... 28185

DATE..... 20.10.99

NO OF PAGES TO FOLLOW..... 9

MESSAGE..... \* FCO Bull Points \*

*Please see attached Bull Points for updating  
which we have just received. Replies need  
to be back to me by noon on Friday  
22 Oct 1999. Apologies for the short  
deadline. Thanks Liz*

### **North/South Ministerial Council**

- The transfer of powers will formally establish the North/South Ministerial Council. Members of the Northern Ireland Executive and the Irish Government will oversee areas where co-operation and implementation for mutual benefit, North and South occur.
- Consultations between the First Minister and Deputy First Minister, both Governments and the Assembly parties concluded with an agreement to establish six areas for new implementation bodies and six areas for co-operation. Treaties between the two Governments establishing the bodies and parallel domestic legislation to underpin them are now in place.

### **British-Irish Council**

- Like all the new institutions set up under the Agreement, the British-Irish Council will be fully functioning at the point of the transfer of powers. The first meeting is likely to propose areas for discussion at future meetings. The Agreement suggests some of these, such as transport links or educational issues.

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

- The Prime Minister's visit to Dublin in November highlighted the strong bilateral relationship between the two countries. The Conference will bring together both Governments to promote co-operation at all levels on all matters of mutual interest within the competence of both Governments. Northern Ireland will be only one of those matters, primarily in relation to non-devolved matters. Relevant executive members of the Northern Ireland Administration will be involved in meetings of the Conference to discuss non-devolved Northern Ireland matters

### **Rights, Safeguards and Equality of Opportunity**

- All parties have affirmed their commitment to the mutual respect, the civil rights and religious liberties of everyone in the community. The British Government will complete incorporation into Northern Ireland law of the European Convention on Human Rights, including the power for the courts to overrule Assembly legislation when inconsistent with it.
- The New Northern Ireland Human Rights Commission, established on 1 March 1999, will advise on the scope for defining, in Westminster legislation, rights supplementary to those in the ECHR to reflect the particular circumstances of Northern Ireland. It will also keep under review the adequacy and effectiveness in Northern Ireland of laws and proposed Assembly legislation.
- The Irish Government will strengthen further the protection of Human Rights in its jurisdiction and ensure that at least an equivalent level of protection of human rights as will pertain in Northern Ireland including the establishment of a Human Rights Commission equivalent to that within Northern Ireland.

- A Joint Committee of representatives of the two Human Rights Commissions is envisaged as a forum for considering human rights issues in the island of Ireland.
- A legal duty is being placed on public bodies, in carrying out their functions, to take due regard for equality of opportunity. The new Equality Commission, which came into effect on 7 May 1999, will monitor and enforce this as well as bringing together the previously separate bodies with responsibilities on religious, gender, racial and disability discrimination.

### Economic, Social and Cultural Issues

The British Government continues to pursue policies to sustain economic stability and reduce social exclusion, pending devolution of powers to a new Northern Ireland Assembly.

The Government will make rapid progress with:

- a new regional development strategy;
- a new economic development strategy; and
- further measures on employment equality.

The Government will also take action to promote the Irish language.

- On 10 April 1998 the two Governments signed the new British-Irish Agreement embodying understandings on constitutional issues and affirming their commitment to support and to implement the Agreement.

### Victims of Violence

- In supporting the Agreement, all parties believe that it is essential to acknowledge and address the suffering of victims of violence as a necessary element of reconciliation. They recognise that victims have a right to remember as well as to contribute to a changed society; the achievement of a peaceful and just society would be the true memorial to the victims of violence.

### Decommissioning

- The Agreement committed all participants to the total disarmament of all paramilitary organisations.
- The participants also confirmed their intention to continue to work constructively and in good faith with the Independent Commission and to use any influence they may have to achieve the decommissioning of all paramilitary arms within 2 years of the Referendum last May and in the context of the implementation of the overall settlement.

### Repatriation to the Republic of Ireland

- The Government remains committed to its policy of repatriating prisoners under the terms of its international agreements.
- Until November 1995 it was not possible to repatriate prisoners to the Republic of Ireland as the Irish Government had not ratified the relevant international convention. Since then the Home Secretary has agreed to the repatriation to the Republic of Ireland from the United Kingdom of 28 prisoners sentenced for terrorist offences and a further 35 prisoners sentenced for non-terrorist.
- 18 prisoners have been repatriated from the Republic of Ireland to Northern Ireland and further cases remain under consideration. 3 prisoners from the USA have also been repatriated to Northern Ireland since 1997.

### RACE RELATIONS

- Race Relations legislation following the general lines of the Race Relations Act 1976 was introduced in Northern Ireland in August 1997.
- Racial discrimination is now unlawful in employment, training and related matters, in education, in the provision of goods, facilities and services, and in the disposal and management of premises.
- Individuals have a right of direct access to the courts and tribunal for legal remedies for unlawful discrimination.
- A Commission for Racial Equality for Northern Ireland (CRENI) has been established to help enforce the legislation and to promote equality of opportunity and good relations between people of different racial groups. CRENI's functions have now been taken over by the Equality Commission.
- Irish Traveller community is defined as a racial group for the purpose of the legislation.
- It is estimated that ethnic minority groups comprise less than 1% of the total Northern Ireland population

### MacBride

- The MacBride Principles are considered unnecessary because the concerns they address are already covered by the more wide-ranging, precise and stringent requirements of the Fair Employment and Treatment (NI) Order.

The Fair Employment and Treatment legislation is working; what Northern Ireland needs is more job-creating investment which will help achieve fair employment for both communities

## EQUALITY AND EQUITY

### Employment Equality Review

- Following a review of employment equality undertaken by the Standing Advisory Commission for Human Rights (SACHR), the Government published a White Paper 'Partnership for Equality' on 11 March 1998, which set out future policies and legislation on employment equality in Northern Ireland. The Proposals are now contained in the Northern Ireland Act 1998, and the Fair Employment and Treatment (NI) Order 1998.
- On 14 October 1998 the Government announced details of its proposed changes to Fair Employment Legislation. These changes are included in the Fair Employment and Treatment NI Order 1998. They:
  - extend the legislation to cover the provisions of goods, facilities, services and premises (including land);
  - provide a right of appeal against national security certificates;
  - broaden the scope of monitoring to include part time workers and leavers;
  - give additional roles to the Fair Employment Commission (now the Equality Commission) to
    - advise Government on measures to reduce the number of, or imbalance in, the unemployed;
    - advise employers on recruitment from the unemployed;
    - keep the working of the legislation under review and to submit proposals to Government for its amendment.;
    - draw up codes of practice on issues relating to goods, facilities etc as it considers necessary;
  - allow employers and training providers to engage in religious specific training;
  - provide protection against allegations of indirect discrimination for employers;
  - extend legislation to cover discrimination by, or in relation to, partnerships of six or more and barristers;

- allow for compensation for unintentional discrimination; and
- consolidate existing legislation.

Most of the Orders provisions came into operation on 1 March 1999, the remainder commenced on 16 August 1999.

### Equality Commission

- Sections 73 and 74 and Schedule 8 of the Northern Ireland Act provide for the creation of a new single Equality Commission which will take over the functions and responsibilities of the Fair Employment Commission, Equal Opportunities Commission, the Commission for Racial Equality and the Disability Council. One of its new functions will be to approve the Equality Schemes prepared by public authorities. Commissioners for the new Commissions were appointed on 2 August 1999. The Commission itself will be established on 1 October 1999.

### Statutory Equality Obligation (Equality Schemes)

- Section 75 and Schedule 9 of the Northern Ireland Act 1998 come into force on the 1st January 2000 and will provide the legislative base for the replacement of the existing PAFT guidelines. The legislation places a statutory obligation on public bodies (including UK Departments operating in Northern Ireland and District Councils) in carrying out their functions, to have due regard to the need to promote equality of opportunity between the range of social categories previously covered by the PAFT administrative guidelines and, without prejudice to this obligation, to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion, and racial group.
- The main vehicle by which a public authority will fulfill its statutory obligations will be through its Equality Scheme. From 1st January 2000 Public Authorities will have six months i.e. until 30th June 2000 to prepare, consult on and submit their schemes to the Equality Commission for approval. Schedule 9 sets out the parameters of a scheme which will be supplemented by detailed guidelines produced by the new Equality Commission subject to the approval of the Secretary of State. Equality Schemes in particular will include details for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the public authority on the promotion of equality of opportunity.
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### COMMUNITY RELATIONS

#### Northern Ireland Community Relations Council (CRC)

The CRC was established in 1990 to promote community relations work in Northern Ireland. It has a budget in 1999/00 of over £2.5m and the Council has its own grant making capacity. Its members (up to 24) represent a broad spectrum of community interests.

#### District Council Community Relations Programme

- The Government provides grant aid for programmes which command cross-political support and encourage cross-community contact, mutual understanding and awareness of cultural diversity.

#### Community Reconciliation Bodies

- Core-funding is provided to support bodies which promote cross-community contact, mutual understanding and awareness of cultural diversity.

#### Cultural Traditions Programme

- This programme aims to encourage greater understanding about different cultures and traditions in Northern Ireland. It includes support for the Irish Language and Ulster Scots.

#### TARGETING SOCIAL NEED (TSN) - NEW TSN

- The Government continues to attach a high priority to the Targeting Social Need (TSN) Initiative. Economic and social deprivation exists on both sides of the Northern Ireland community; however, on all major social and economic indicators, Catholics in Northern Ireland generally experience greater levels of disadvantage than Protestants. The Government believes that greater equality can be achieved by improving the social and economic conditions of the most disadvantaged areas and people.
- The Government's White Paper 'Partnership for Equality', published on 11 March 1998, set out plans for a more effective New TSN initiative.
- New TSN aims to target efforts and available resources on people, groups and areas in greatest social need. It comprises 3 complementary elements:
  - a particular focus on tackling the problems of unemployment and on enhancing employability;
  - action to tackle key inequalities in areas such as health, housing and education; and,
  - Promoting Social Inclusion (PSI): which aims to identify and tackle factors which need to be dealt with cross-departmentally.
- Departments have renewed their activities in relation to New TSN and have developed 3 year New TSN Action Plans which will come into effect on 1 January 2000.

- the draft Plans will be published for consultation in the first New TSN Annual Report which is due shortly
- the Plans will be renewed and progress reported in future Annual Reports
- The Secretary of State launched New TSN in July 1998 and initiated consultation on the issues to be tackled under PSI. Responses to the consultation have been analysed and Mr McFall announced on June 16 that the first PSI priorities would be:
  - action to alleviate the needs of travellers;
  - a strategic approach to the needs of minority ethnic groups;
  - the problems of teenage parenthood; and
  - strategies for making services more accessible to minority groups and others at risk of social exclusion - focusing firstly on how information can be presented and distributed in ways appropriate to their needs.

#### IRISH LANGUAGE AND ULSTER SCOTS

- The Government is committed to a policy of promoting greater respect for, and understanding of, the diversity of cultural traditions across the whole community in Northern Ireland. In this context, it supports activities which enhance awareness and appreciation of the Irish Language. Recurrant grants of £2.5m were made in 1998/99 to the 8 grant-aided Irish-Medium schools in Northern Ireland - 7 primary and 1 secondary. Well-founded applications for grant-aided status for Irish-Medium schools are considered on their merits.
- The Good Friday Agreement states that all participants recognize the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland the Irish language. Ulster Scots and the languages of the various ethnic communities all of which are part of the cultural wealth of the island of Ireland. To that end provision was made for a North/South Implementation Body for Language, with separate agencies for Irish and Ulster Scots, under an agreement signed by the two governments on 8 March 1999. The Body will come into being at devolution under legislation that was enacted in March 1999.
- As a result of the Agreement, new legislation has recently been enacted which charges the Department of Education with a statutory duty to facilitate and encourage Irish medium education, similar to that for Integrated Education.
- In June 1998 the Government announced its intention to sign the Council of Europe Charter for Regional or Minority Languages and said that Irish would be recognised as a regional or minority language for the purpose of Part II of the Charter. A consultation paper has been issued to consider arrangements on how best to discharge its functions. The Government expects shortly to be in a position to sign



and ratify the Charter and will also apply the general commitments of Part II of the Charter to Ulster-Scots. During 1999 Irish will be specified for the more detailed provisions of Part III.

- A Linguistic Diversity Branch has been established which has a key task in identifying the progress which must be made for Irish to be specified for Part III of the Charter. This branch will also develop Government policy on Irish, Ulster-Scots and ethnic minority languages and support the North-South Language Implementation Body.

## EDUCATION

- The Government believes that education has a role to play in the process of improving community relations among young people. To this end a number of measures, for which £3.4m has been allocated in the current financial year, are available:
- the Schools Community Relations Programme and Youth Service Support Scheme, administered by the Education and Library Boards and the Youth Council, provide modest grant support to schools, colleges and youth groups to develop joint, collaborative programmes involving young people from different backgrounds. Nearly 700 schools (about 50% of NI schools) and over 500 youth groups are actively involved;
- the Cultural Traditions programme, introduced in May 1989, seeks to provide opportunities through which young people can explore both their shared cultural heritage and the rich diversity of cultural traditions;
- The Northern Ireland Statutory Curriculum includes the 2 Educational (Cross-Curricular) themes of Education for Mutual Understanding (EMU) and Cultural Heritage (CH).
- A Ministerial Working Group was set up in December 1998 to consider ways in which the education service, in partnership with all schools, can promote tolerance through the general curriculum. The report of the working group entitled "Towards a Culture of Tolerance, Education for Diversity" was launched for consultation by the Minister on 15 September 1999. It has been circulated widely to education interests, community relations bodies, political parties, the Assembly and District Councils. Responses have been requested by 17 December 1999.

### Integrated Schools

- Transformation of existing schools to integrated status remains the fastest and most economic means of meeting parental demand for integrated education for their children. Since the publication in 1997, of the Department's policy document, "Integrated Education: A Framework for Transformation", 4 controlled primary and 3 controlled secondary schools have transformed to controlled integrated status. Approval has been granted to a further 3 schools from September 1999. This will bring the total number of integrated schools to 43 with over 11,000 pupils.

- The Government established a Working Group in June 1998 to examine ways of further enhancing the contribution of all schools to the promotion of a Culture of Tolerance as outlined in the Agreement, with particular emphasis on the further development of the integrated sector. The Group's report "Towards A Culture Of Tolerance: Integrating Education" was published in December 1998. The Minister has agreed to reconvene the Working Group on Integrated Education to take forward the issues raised during the consultation on the Progress Report.

#### INTERNATIONAL FUND FOR IRELAND (IFI)

- The IFI was established in 1986 by the British and Irish Governments in the wake of the Anglo-Irish Agreement. It is administered by an independent Board, comprising a Chairman and 6 other Members jointly appointed by the two Governments.
- The Fund's geographical remit covers the 6 counties of Northern Ireland and the 6 southern border counties of Donegal, Cavan, Monaghan, Sligo, Leitrim and Louth. The Fund is required to spend approximately 75% of its resources in Northern Ireland.
- The Board is supported by a Secretariat staffed by officials seconded by the two Governments and is headed by Joint Directors General based in Belfast and Dublin respectively.
- To date the donors to the Fund include the US (US\$327m), the EC (EURO 184m), with a further 45m Euros pledged for the next three years, Canada (C\$5.2m), New Zealand (NZ\$900,000) and Australia (AUS \$7m).
- Up to 30 September 1998 the Fund approved assistance of some £341m to over 4,000 projects and had contributed to the generation of approximately 34,000 jobs - including part-time and construction jobs.
- The Fund has a particular interest in supporting projects with a cross-border dimension.
- The Fund has also supported five major flagship projects because of the impact they will have on the economic regeneration of their region: the construction of the Erne-Snannon waterway; the development of the Navan Fort visitor centre; the economic regeneration of the Strabane/Lifford area; pump-priming support for the proposed new University campus at Springvale in West Belfast; and the development of the St Patrick's visitors centre Downpatrick.
- The IFI is very successful in leveraging public and private sector investments, at a rate of approximately 1:2. This means that IFI involvement has resulted in investments of over 1 billion pounds.