



**Centre for International Borders Research**



**Institute for British-Irish Studies**

**Papers produced as part of the project**

**Mapping frontiers, plotting pathways:  
routes to North-South cooperation  
in a divided island**



**NORTH-SOUTH COOPERATION  
SINCE THE AGREEMENT**

**Peter Smyth**

Project supported by the EU Programme for Peace and Reconciliation and administered by the Higher Education Authority, 2004-06

**ANCILLARY PAPER 6**

## **NORTH-SOUTH COOPERATION SINCE THE AGREEMENT**

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MFPP Ancillary Papers  
No. 6, 2005

(also printed as  
IBIS working paper no. 52)

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Mapping Frontiers, Plotting Pathways  
Ancillary Paper No. 6, 2005

(also printed as  
IBIS working paper no. 52)

ISSN 1649-0304

**Institute for British-Irish Studies  
University College Dublin**

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## ABSTRACT

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### **NORTH-SOUTH COOPERATION SINCE THE AGREEMENT**

This paper reviews the story of North-South cooperation after 1999. Because of the sensitivities associated with North-South cooperation, the initial meetings of the North/South Ministerial Council were important as much for symbolism as for practical outcomes. But as the implementation bodies established themselves, and government departments engaged in the areas of cooperation, the possibilities offered by cooperation for mutual benefit became more apparent, and NSMC meetings assumed a different and much more meaningful character. The paper looks at the impact of the Northern Ireland Assembly's suspension in 2002, and offers a brief look at the wider dimensions of cross-border cooperation.

#### ***Publication information***

Paper presented at the conference on "Implementing the agreement: the North-South bodies five years on" organised by the Institute for British-Irish Studies as part of the *Mapping frontiers, plotting pathways* programme, University Industry Centre, University College Dublin, 27 May 2005.

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## BIOGRAPHICAL INFORMATION

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**Peter Smyth** is Joint Secretary (North) in the North/South Ministerial Council, a post he took up in September 2002 after five years as Director of the Northern Ireland Bureau in Washington, DC. Previous postings for Dr Smyth have included service in the political development arm of the Northern Ireland Office; a period of duty as a Parliamentary Clerk in the Northern Ireland Assembly in the early 1980s; and being part of the team which privatised the Northern Ireland electricity industry in the late 1980s.

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## NORTH-SOUTH COOPERATION SINCE THE AGREEMENT

Peter Smyth

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### I

I was in UCD earlier this month listening to a public lecture by Dermot Ahern (see Ahern, 2005). One of his comments struck me as having particular force. A prosperous, pluralist and self-confident society in Northern Ireland could partly be achieved under Direct Rule, but it would only be completely realised under the principles embedded in the Agreement, including the provisions for North-South cooperation. Like the Minister, I think it is difficult to argue that any viable political accommodation for Northern Ireland will be achievable without a strong and vibrant cross-border dimension.

That is certainly the core of the remarks I am about to make, although I would make one distinction between my approach and that of Minister Ahern. I am afraid that civil servants are not permitted the same liberality of expression as is allowed to politicians, and my comments perforce have undergone that transformational operation known in the trade as “sexing down the dossier”.

My basic—if neutered—argument is that meetings of the North/South Ministerial Council (NSMC) taking place when the Assembly was suspended towards the end of 2002 were different in kind from those that had been initiated three years earlier, and in the course of this paper I want to look at the nature and extent of that development.

### II

Against the background of negotiations so ably described earlier (see O'Connor, 2005), it was probably inevitable that the first meeting of the NSMC in plenary format, which took place on 13 December 1999, should be largely symbolic and ceremonial. The language of the joint communiqué on the occasion was suitably elevated:

Both sides ... agreed, recalling the commitment in the Good Friday Agreement to the principles of partnership, equality and mutual respect as the basis of relationships between North and South, that the Council should play a central role in promoting reconciliation within, and in ensuring a better future for all the people on, the island of Ireland.

Such sentiments were not allowed to get in the way of business, however. The meeting endorsed the work of the transitional meeting and began to focus on practicalities. The programme of sectoral meetings was begun the following month, January 2000. Only a few were possible before the suspension of the Assembly

from mid-February to late May 2000 caused a hiatus, but by early July, when the summer recess halted proceedings, meetings had taken place in respect of all the bodies and in all the areas of cooperation (apart from transport) on at least one occasion.

I will not attempt to furnish the details of these meetings. There may be others who are capable of doing so, but—without being disrespectful—I confess that I find myself unable to conjure up the prose that would capture the sheer raw excitement of discussions on the quantification of cross-border movements of slurries and spent mushroom compost, or the deliciously macabre details of Postweaning Multisystemic Wasting Syndrome in pigs. In the words of an eighteenth century essayist, “I do not say that the thing cannot be done—I merely affirm to you, sir, that it cannot be done by me.”

What emerged from the first series of sectoral meetings was a story of the embryonic implementation bodies establishing themselves as institutions. Corporate and business plans were presented, along with proposed budgets and work programmes; staffing structures were outlined; codes of practice for staff and, where appropriate, board members were brought forward. Approval was given for the location of headquarters and regional offices. It is difficult now to appreciate the scale of the challenge involved in establishing what were unique organisations in two jurisdictions, in a complex and untested web of political and financial accountability. Institutionally, this was unexplored territory, where precedents did not exist and solutions by necessity were often contrived on the run.

Within the areas of cooperation, there was more of a feeling of building on what was already there, because liaison between government departments was already well established. New co-ordination and working groups were set up to report on specific areas of policy development. In other cases, existing groups were revived and revitalised. Here one gets the feeling of a different dynamic than that which was at work in the meetings involving the implementation bodies. The sense of adventure and the whiff of cordite that accompanied the pioneering exploits of the bodies was here replaced by a more mandarin-like approach, where the prevailing odour was one of civil service coffee and discreetly nibbled biscuits.

### III

The second NSMC plenary, held in Dublin in September 2000, provided an opportunity for a stocktake. It was generally satisfactory. Among the bodies, since they had started from different positions, progress in gearing up was variable, but budgets could be allocated for 2001, and indicative figures given for 2002 and 2003. Overall, the recommended budget for all the bodies, excluding the yet-to-be-formed tourism company, was £48.3m rising to £55m, and a total staff of 896. Such progress was clearly encouraging. It was also noted that the First and Deputy First Minister intended to take measures to facilitate a meeting in the transport sector. The refusal of the DUP Minister for Regional Development to participate in the work of the Northern Ireland Executive had put a block on any NSMC activity in the sector to

date, but it was obviously felt to be a situation that could not be allowed to continue indefinitely.

The message in September 2000, therefore, was decidedly businesslike. The signal being sent to all NSMC sectors was clear—good initial progress had been made, but more was expected, and direct intervention by the two administrations would be forthcoming if the pace slackened.

I want to move quickly through the next year, pausing only briefly to note in passing two interesting developments. In December 2000, the promised meeting did take place in the transport sector, minus the DUP minister. Options for a possible work programme were discussed, including proposals to take account of strategic planning initiatives, such as the Republic's National Spatial Strategy. Even in the careful prose of the communiqué, there was a sense of the professional excitement generated by the prospect of a cooperative approach to strategic transport issues.

In the agriculture sector, meanwhile, the “foot and mouth” epidemic of 2000-01 provided an unlooked for opportunity to demonstrate the value of practical cooperation. In retrospect, it is difficult to recollect the sense of foreboding that was generated as the potential scale of the threat to the farming community throughout Ireland became apparent. That the threat was contained was due to the efforts of the respective Agriculture ministers, Brid Rogers and Joe Walsh, to ensure that action in the two jurisdictions was planned and co-ordinated, at times on a daily basis. NSMC meetings in April and October 2001 provided the opportunity to review strategy and monitor progress. In October, when the crisis was past, formal recognition was given to the fact that an all-island approach to controlling the spread of the disease had been the critical factor in limiting its impact. Here, quite literally on the ground, was a classic example of cooperation to mutual benefit.

#### IV

But it was the third plenary meeting of the NSMC in November 2001 that seems to me to represent a new level of engagement. First, consideration was given to a briefing paper which set out the planning assumptions and possible outcomes behind three key economic documents—the Northern Ireland Programme for Government, the South's Programme for Prosperity and Fairness, and the National Development Plan. These concentrated on identifying the priority areas for public spending in the years to 2006. There were many similarities—modernising public services, securing a more competitive economy, developing innovation and skills, and increased investment in infrastructure, for instance. But more interesting than that was the fact that the briefing took place at all. Irrespective of the details, the very concept of sharing strategic policy discussions that would impact on the lives of the people in both jurisdictions in the years ahead was, given the lineage of the NSMC, extraordinary.

In the same vein, discussion took place on the effects on the Irish economies of the September 11 attacks in the US. Again there was little in the detail of the discussions that was unexpected—the worst consequences were expected in relation to

inward investment from the US, tourism, and the airline/aerospace industry in the two jurisdictions—but again the significance lay outside of the detail. For the first time, the two administrations acknowledged that they had a shared interest in framing a response to developments outside the control of either.

It would be wrong to overstate the significance of this meeting. It did not result in a new and radical reconfiguration of policy, or even a steep change in terms of policy development. Arising from it was no sudden increase in the intensity of activity within the bodies or the areas of cooperation. Nevertheless, the fact that it was recognised that an event like 9/11 had implications for the island as a whole, and that the sharing of strategic thinking could be worthwhile in its own right, were developments that could not have been predicted with confidence even two years before. This was the NSMC looking at the carefully prescribed agenda set out in the British-Irish Agreement, and deciding that it might be time to explore its wider dimensions.

#### V

At the time of the fourth plenary in June 2002 attention had switched back to a more domestic agenda. Nevertheless, the mood was decidedly forward-looking. A structure was agreed for a North-South Consultative Forum. Ministers agreed to consider what additional policy areas might be brought within the NSMC ambit. Further consideration was to be given—yet again—to how the EU dimension might better be reflected in the Council's work. Further work was commissioned on a study into obstacles to cross-border mobility. The proceedings were not charged with drama and excitement, but a detached assessment would have been that the institution at work was one that was increasingly confident in its role and how that role should be discharged. Mere symbolism was no longer sufficient.

#### VI

If the development of NSMC as an institution was as I have traced it here, then it was particularly unfortunate that four months later, in October 2002, suspension of the Assembly should bring proceedings to a halt once more. By that stage, there had been 65 meetings of the NSMC in its different formats. Most of the sectors had met between 4 and 8 times. As indicated elsewhere (O'Connor, 2005), the implementation bodies were based in 17 different locations throughout the island of Ireland, with a combined staff of approximately 700, and a total operating budget in excess of £100 million.

When suspension of the Assembly was announced, what to do with the areas of cooperation was not a problem. It is a truth universally acknowledged that civil servants can be relied upon to bear with fortitude the suffering and inconvenience attendant on a diminished workload. It was the scale of the success enjoyed by the implementation bodies that constituted a dilemma. The dimensions of the project were such that it could not be closed down, or put into suspended animation, without significant consequences for the staff of the bodies, or termination of the range of services they delivered. Since the operational assumption of the two govern-

ments in October 2002 was that the suspension of the Assembly would be only temporary, drastic action in respect of the North-South bodies seemed inappropriate.

The rationale for introducing a regime of care and maintenance for the bodies has been well rehearsed, but it is true to say that the practical outworkings remain the subject of debate. There may be some who feel that the regime has inhibited growth and progress, and constitutes yet another example of public sector regulatory zeal, another enemy of promise. While recognising some validity in that analysis, others may be prepared to argue that care and maintenance has at least preserved and embedded the culture of cooperation the bodies represent, and has allowed many of the issues arising from the haste and novelty of their creation to be addressed in a manner that would not otherwise have been possible. At the end of the day, I think it is difficult to deny that care and maintenance has allowed the bodies to continue their existence during a period when such an outcome could not be taken for granted. In the circumstances, that is not a bad outcome.

Where suspension undoubtedly has had a negative impact is in relation to the areas of cooperation. Although activity has not ceased, the absence of ministerial direction has resulted in a loss of momentum. The reality is that the Areas, unlike the bodies, have no structures or internal mechanisms which would ensure that business would be driven forward in the absence of direct ministerial engagement.

## VII

I would like to conclude by setting the achievements of the NSMC institutions in some kind of context by sketching the outlines of a broader picture of North-South cooperation. Any such picture necessarily is incomplete, but even the random selection of examples I can quote will give some idea of the environment of which the Strand Two institutions are part.

One very significant area of cooperation has been the projects and initiatives developed under the various EU programmes for peace and reconciliation. I understand that at one stage a database held by the Centre for Cross-border studies held details of around 2000 such projects, undertaken since the mid-1990s.

In the same context, regard must be had for the work of organisations such as the Irish Central Border Area Network (ICBAN), and the other cross-border regional partnerships helping to deliver EU programmes. If I refer to ICBAN in particular, it is because it published a strategy document last year which presented a range of practical initiatives that might be possible if a holistic approach was taken to addressing social and economic issues on a regional basis, without making the border the determinant of policy. Similar evidence of joined-up thinking is present in the North-West region of the island, where plans for stimulating economic growth by the Chambers of Commerce and related bodies in the Derry/Londonderry area are predicated on building effective cross-border partnerships. A colleague and I recently spent an afternoon with a partnership group from the North-Eastern counties. Although the region is geographically removed from the border, and politically disin-

clined to regard the Republic as a source of opportunity, even here there was an awareness that economic self-interest militated against a policy of continued isolation. It seems probable that significant amounts of future EU funding will be directed towards promoting exactly this kind of regional cooperation.

Even without the stimulus of EU funding, cooperation on practical and pragmatic grounds seems certain to increase in the coming years. Work is in hand to create an all-Ireland energy market. The Newry-Dundalk A1/N1 road is being undertaken as a joint venture between the responsible authorities North and South. EU Directives in the environmental sphere are being jointly implemented. Irish universities are collaborating on joint courses, joint degrees and wider projects, such as the proposed International Centre for Local and Regional Development. There will be massive spending—possibly in the region of €100 billion—on infrastructure projects over the next 10 years, and it is already clear that members of the construction industry in both parts of Ireland will have to cooperate if they are to mount a challenge to foreign competition. Research undertaken by InterTrade Ireland has shown not only the growth in cross-border trade in recent years, but also the increasing awareness within the business community that perceived areas of systemic weakness in the two Irish economies might be mitigated by increased levels of cooperation.

But if it seems safe to predict that, in one form or another, cooperation will continue, it seems equally certain that delivering it will not be straightforward. The process will continue to carry a strong political bipolarity. Economic benefit or value for money will be important considerations, but they are unlikely in the near future to become the sole determinants of worth. Managing complexity will be an ongoing responsibility, and moderating stridency will be a continuing skill.

The debate will continue, but to me the great achievement of Strand Two to date is that it has created the context within which such exchanges can take place. The work of NSMC and its institutions has laid out the challenges that are inherent in cross-border cooperation, has demonstrated the compromises that must be made, and the frustrations that must be undergone. But it has also opened the window onto a world of opportunities, and that window will not readily be slammed shut again. The geopolitical climate on the island may fluctuate from time to time, but, to revert to the analogy used by other colleagues, I do not predict any return to the Cold War years.

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