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DATE FROM Alison White
16 January 2003

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COMMENTS Invitation to Implementation Group.



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INVESTOR IN PEOPLE

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Parliament Buildings
Stormont

16 January 2003

As you know, the next meeting of the Implementation Group will take place in Stormont House on Monday 20 January at 3:00pm. We are writing to set out the arrangements.

Following on from the letter of 24 December from Paul Murphy and Brian Cowen, we plan that this meeting of the Implementation Group should take forward issues under the rights/equality and economic/cultural chapters of the Agreement.

To that end, we enclose short papers, prepared by the UK Government in consultation with the Irish Government, which set out progress to date on implementation of Agreement commitments in five areas: human rights; equality; community relations and reconciliation; victims; and Irish language. We hope that these will serve as an aid to discussion.

It would be helpful if you could let us know who will represent your party beforehand. Parties are invited to send two representatives, plus a notetaker if required. To ensure prompt access to Stormont House, it would also be helpful if vehicle details could be notified in advance to Alison White on 028 90 522944.

We aim to conclude the meeting at around 5:30pm.

We are in the process of finalising a date for a further roundtable later this month, as outlined in the 24 December letter, and envisage further meetings later.

Tom Kitt

Des Browne

Implementation Group Paper 1: Human Rights

January 20 2003

Commitments

Under the Agreement, the UK Government is committed to:

- incorporation of the ECHR into domestic law
- establishment of a Human Rights Commission
- inviting the Human Rights Commission to advise on the scope for a Bill of Rights reflecting the particular circumstances of Northern Ireland
- establishment of a joint committee of representatives of the Northern Ireland and Irish Human Rights Commissions
- arrangements to provide that key decisions and legislation are proofed to ensure that they do not infringe the ECHR/Bill of Rights
- the possible appointment of a special committee to examine and report on whether a measure or proposal for legislation is in conformity with equality requirements, including the ECHR/Bill of Rights.

The Irish Government is also committed to:

- take steps to further strengthen the protection of human rights in its jurisdiction and bring forward measures to strengthen and underpin the constitutional protection of human rights
- Examine the question of the incorporation of the ECHR
- Ensure at least an equivalent level of protection of human rights as will pertain in Northern Ireland
- establish a Human Rights Commission with a mandate and remit equivalent to that within Northern Ireland
- proceed with arrangements as quickly as possible to ratify the Council of Europe Framework Convention on National Minorities
- implement enhanced employment equality legislation
- introduce equal status legislation

What has been done so far?

- the ECHR has been incorporated into domestic law

- the Government established the Northern Ireland Human Rights Commission in 1999, and has since invited it to advise on the scope for a Bill of Rights. The Commission produced a consultation paper in September 2001 and is currently consulting further with a view to reporting late this year
- The joint committee of the Human Rights Commissions, North and South has been formed and meets on a regular basis;
- arising from Sections 6 and 24 and Schedule 14 of the Northern Ireland Act 1998, the legislative competence of the Assembly and the Executive and its Departments are limited to ensure compliance with the ECHR
- the Standing Orders of the Assembly make provision for the appointment of an Ad Hoc Committee on equality requirements

Irish Government

- In June 2001, legislation introduced to give effect to the provisions of the ECHR in Irish law. Legislation restored to the Dáil Order Paper at Committee Stage in 2002
- Human Rights Commission established
- Council of Europe Framework Convention on National Minorities ratified in 1999
- enhanced Employment Equality Act, and the Equal Status Act enacted

Among further considerations:

The Agreement does make express provision about completion of the Bill of Rights but there is an appetite among some parties for the process to be accelerated. The Government is willing to consider ways in which the process may be assisted, consistent with the Agreement. Some parties have also raised the powers, resources and effectiveness of the Commission. The Government is prepared to consider parties' views, again consistent with the Agreement.

Implementation Group Paper 2: Equality

20 January 2003

Commitments

Under the Agreement, there are commitments to:

- establish a new statutory Equality Commission;
- create a statutory obligation on public authorities concerning equality of opportunity in specified areas and parity of esteem between the two main communities and allocating responsibility to the Equality Commission to advise on, validate and monitor the statutory obligation;
- strengthen anti-discrimination legislation and review the security aspects of fair employment legislation;
- a new more focussed Targeting Social Need Initiative and a range of measures aimed at combating unemployment and progressively eliminating the differential in unemployment rates between the two communities by targeting objective need.

What has been done so far?

- Equality Commission for Northern Ireland (ECNI) established under Sections 73, 74 and Schedule 8 of the Northern Ireland Act 1998. ECNI is well funded - £0.7 million in current year with additional £1/2 million from in-year monitoring;
- statutory duties concerning equality of opportunity and good relations placed on designated public authorities under Section 75 of Northern Ireland Act. Enforcement of duties and responsibilities of ECNI implemented through Schedule 9 of the Northern Ireland Act 1998;
- ECNI allocated specific funding to cover its obligations concerning statutory duties. ECNI has published guidelines on Equality Schemes (approved by Secretary of State) and has approved 150 equality schemes;
- fair employment legislation strengthened through the Fair Employment and Treatment Order 1998 and appeals procedure on national security aspects introduced;
- New TSN launched in July 1998 with three elements - tackling unemployment and increasing employability, tackling inequalities in other areas such as health, housing and education and Promoting Social Inclusion (PSI);
- PSI reports issued and under way in a number of areas;
- targeted initiatives on unemployment - report of the Employability Taskforce and report of West Belfast Taskforces published.

Among further considerations:

Although not specifically referred to in the Agreement significant other work is being taken forward on equality, including implementation of EU obligations on race, religion or belief, sexual orientation, disability and equal pay and the development of proposals for a Single Equality Bill, cross-departmental strategies to tackle race and gender inequalities and work to improve civil rights for disabled people

Implementation Group Paper 3: Community Relations and Reconciliation

20 January 2003

Commitments

Under the Agreement, there are commitments to:

- continue support for work being done by organisations to develop reconciliation and mutual understanding and respect between, and within communities and traditions in Northern Ireland and between North and South;
- positively examine the case for enhanced financial assistance for the work of reconciliation;
- the promotion of a culture of tolerance at every level in society, including initiatives to facilitate and encourage integrated education and mixed housing.

The Irish Government also committed itself to:

- continue to take further active steps to demonstrate its respect for the different traditions in the island of Ireland.

What has been done so far?

- support provided to a range of organisations and projects involved in community relations and reconciliation work through funding of £2.8 million for the Community Relations Council, £1.7 million for the District Councils Community Relations Programme, and £11 million secured for Reconciliation for Sustainable Peace Measure of the Peace II Programme;
- North Belfast Community Action Unit established with initial funding of £3 million a year;
- review of policy and strategy to promote good relations and tackling sectarianism underway. Publication of consultation paper imminent;
- community action group comprising government departments and key agencies established to put in place co-ordinated plan for short term actions.

Irish Government

- continuing demonstration of respect for different traditions, including the purchase and development of the site of the Battle of the Boyne and by contributing to the Messines memorial to commemorate the Irish soldiers who died in World War One;

- The Irish Government has increased eightfold the funding available to the Reconciliation Fund operated by the Department of Foreign Affairs. Since the Agreement, over euro 10m has been provided by the Fund to over 300 groups working in this area.

Among further considerations:

Following consultation, a cross-departmental strategy to promote good relations and tackle sectarianism will be prepared. This will cover the application of community relations considerations and principles to Government functions and services, including education and housing.

Among further considerations:

- Current cross-Departmental strategy will need to be rolled forward from 2004. Consultation will need to take place this autumn.
- Issues of recognition and remembrance are growing in importance. This is a sensitive area which links with Truth and Justice. The current Priorities and Plans document (2003-2006) contains a commitment to commission a recognition and reconciliation project. Other work needs to be done in the areas of recognition, remembrance and truth recovery but at a pace consistent with the state of readiness of the community as a whole to engage.

Implementation Group Paper 4: Victims

20 January 2003

Commitments

Under the Agreement the parties acknowledged that "it is essential to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation". The Agreement also referred to the right of victims to remember as well as contribute to a changed society, the particular difficulties faced by young people, the need for funding (including statutory funding) to meet the needs of victims and to provide for community based organizations. The parties also looked forward to the results of the work of the Victims' Commission.

What has been done so far?

- Approximately £23m has been committed in total by government since 1998
- Victims Liaison Unit established in NIO in spring 1998 to take forward Victims' Commission recommendations
- Establishment of a Family Trauma Centre; establishment of, and continued funding to, the NI Memorial Fund to assist individual victims; core and project funding of victims' groups; funding for initiatives in GB and establishment of a regional Trauma Centre in Omagh
- Victims Unit established in OFMDFM in July 2000
- Devolved administration's publication of cross-Departmental victims' strategy in April 2002, containing almost 50 targets to deliver practical help and services to victims of the conflict
- Securing of specific Peace II victims' measure
- Funding for a co-ordinator post in each Trauma Advisory Panel
- Funding for specific projects dealing with young people including Barnardo's, the Eastern Health Board and an Educational Bursary pilot scheme

The Irish Government:

- also established a Victims Commission, under former Tánaiste John Wilson, and the Commission's report "A Place and a Name" was published in 1999. A working group considering the implementation of its recommendations has completed its work and its recommendations are currently under consideration.

Implementation Group Paper 5: Irish language

January 20 2003

Commitments

Under the Agreement, "in the context of active consideration of the UK signing the Council of Europe Charter for Regional or Minority Languages, the British Government will in particular in relation to Irish language, where appropriate and where people so desire it":

- take resolute action to promote the language;
- facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand;
- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language;
- make provision for liaising with the Irish language community, representing their views to public authorities and investigating complaints;
- place a statutory duty on Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education;
- explore urgently with the relevant British authorities, and in cooperation with the Irish broadcasting authorities, the scope for achieving more widespread availability of Teilifis na Gaeilige (now called TG4) in Northern Ireland;
- seek more effective ways to encourage and provide financial support for Irish language film and television production in Northern Ireland;
- encourage the parties to secure agreement that this commitment will be sustained by a new Assembly in a way which takes account of the desires and sensitivities of the community.

What has been done so far?

Since the Agreement was signed:

- The coverage of TG4 has been increased from 30% of Northern Ireland households to around 54%;
- DCAL funded £500,000 scheme to provide training in Irish language television and film production. The first graduates are now producing commissions;

- A North/South Language body with two separate agencies to promote Irish and Ulster Scots has been established;
- DCAL established a Linguistic Diversity Unit which inter alia liaises with the language communities and promotes language issues;
- the British Government has signed the European Charter for Regional and Minority languages (the Charter) and adopted 36 articles for implementation;
- DCAL has commissioned and published a research report "Establishing the Demand for services and Activities in the Irish language";
- Irish language education has been made available at all levels of education;
- Key Government documents have been translated into Irish;
- Draft guidance has been prepared for departments on the use of Irish language;
- Departments accept correspondence in Irish and a voicemail system enables callers who wish to make their enquiries in Irish to do so.

Among further considerations:

- a Report on the implementation of the Charter is with a Committee of Experts in Europe. The Government will consider any recommendations the Committee may make about improvements to facilitate the Irish Language when they report later this year;
- the Government is continuing to explore ways to make TG4 more widely available in Northern Ireland;
- Exploration of the creation of a fund for Irish language TV production.