



Treaty Series No. 54 (2002)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of Ireland

concerning Certain Decisions of the
North/South Ministerial Council
established by the Agreement between
the two Governments signed at Dublin
on 8 March 1999 and related matters

Dublin, 19 November 2002

[The Exchange of Notes entered into force on 3 December 2002]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
December 2002*

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**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF IRELAND CONCERNING CERTAIN DECISIONS OF THE
NORTH/SOUTH MINISTERIAL COUNCIL ESTABLISHED BY THE
AGREEMENT BETWEEN THE TWO GOVERNMENTS SIGNED AT DUBLIN ON
8 MARCH 1999¹ AND RELATED MATTERS**

No. 1

The Minister for Foreign Affairs of Ireland to the British Ambassador at Dublin

Dublin

19 November 2002

I have the honour to refer to:

- the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland done at Belfast on 10 April 1998² (hereinafter referred to as “the British-Irish Agreement”), and in particular Article 2 thereof;
- the Multi-Party Agreement reached at Belfast on 10 April 1998³ (hereinafter referred to as “the Multi-Party Agreement”) annexed to the British-Irish Agreement;
- the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland establishing a North/South Ministerial Council done at Dublin on 8 March 1999 (hereinafter referred to as “the Agreement establishing the North/South Ministerial Council”); and
- the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland establishing Implementation Bodies done at Dublin on 8 March 1999⁴ and the supplementary Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituted by the exchange of letters dated 18 June 1999⁵ (hereinafter referred to as “the Implementation Bodies Agreement”).

I have the honour to refer also to the discussions which have taken place between our two Governments following the temporary suspension of the Northern Ireland Assembly on 15 October 2002 and to our continued, shared recognition that, notwithstanding temporary suspension, the effective implementation of the Multi-Party Agreement represents the only viable future for all the people of Northern Ireland. I have the further honour now to recall that, in order to protect and maintain the achievements of the British-Irish Agreement and the Multi-Party Agreement, and to ensure the continuation of the necessary public function performed by the Implementation Bodies during the period of temporary suspension of the Assembly, and pending its restoration, our two Governments have agreed that, for the duration of that temporary suspension, the British-Irish Agreement, the Agreement establishing the North/South Ministerial Council and the Implementation Bodies Agreement shall be read and have effect in accordance with the following provisions:

(1) Decisions of the North/South Ministerial Council on policies and actions relating to the Implementation Bodies, Tourism Ireland Limited or their respective functions shall be taken by our two Governments. No new functions shall be conferred on the Implementation Bodies.

¹Treaty Series No. 53 (2000) CM4708.

²Treaty Series No. 50 (2000) CM4705.

³Treaty Series No. 50 (2000) CM4705.

⁴Treaty Series No. 51 (2000) CM4706.

⁵Treaty Series No. 52 (2000) CM4707.

(2) In the Implementation Bodies Agreement:

- (a) any reference to a Northern Ireland Minister shall be read as a reference to the relevant Northern Ireland Department; and
- (b) any reference to the Assembly shall be read as a reference to the United Kingdom Parliament.

If the foregoing statement of the understandings reached in our discussions is acceptable to your Government, I have the honour then to propose that this Note and Your Excellency's Reply thereto in similar terms shall constitute an Agreement between our two Governments. It shall enter into force upon the receipt by the Government of the United Kingdom of Great Britain and Northern Ireland of the notification by the Government of Ireland that the requirements for its entry into force so far as the Government of Ireland is concerned have been completed. It shall terminate, following restoration of the Assembly, upon receipt of the later of two notifications, the one to state that the requirements for termination of this Agreement so far as the Government of Ireland is concerned have been completed, and the other to state that the requirements for the termination of this Agreement so far as the Government of the United Kingdom of Great Britain and Northern Ireland is concerned have been completed.

Accept, Your Excellency, the assurances of my highest consideration,

BRIAN COWEN

No. 2

The British Ambassador at Dublin to the Minister for Foreign Affairs of Ireland

Dublin

19 November 2002

I have the honour to acknowledge receipt of your Note of today's date which reads as follows:

[As in No. 1]

In reply to the foregoing, I have the honour to confirm that the Government of the United Kingdom of Great Britain and Northern Ireland is in agreement with the statement of understandings set out in your Note and further to confirm that your Note and this Reply thereto shall together constitute an Agreement between our two Governments which shall enter into force and terminate in accordance with the terms thereof.

Accept, Sir, the assurances of my highest consideration,

IVOR ROBERTS

