

Appendix 1 – ‘Mapping exercise’ document examining North-South cooperation on the island of Ireland

The following text is quoted directly from the scoping document:

[https://www.parliament.uk/documents/commons-committees/Exiting-the-European-Union/17-19/Correspondence/UK%20Government%20scoping%20document%20\(1\).pdf](https://www.parliament.uk/documents/commons-committees/Exiting-the-European-Union/17-19/Correspondence/UK%20Government%20scoping%20document%20(1).pdf)

Items listed in the scoping document that specifically mention Belfast are shown below.

10 All-Island Congenital Heart Disease Network: “The Network facilitates collaboration between healthcare providers in Northern Ireland and Ireland to ensure that vulnerable children receive treatment on the island of Ireland. The Network has a single surgical centre in Dublin and a specialist children’s cardiology centre in Belfast, supported by cardiology expertise in local hospitals and an all-island academic programme which is under development.”

The project is classified as “Partially underpinned or linked.”

The EU legal basis is “EU Directive 2005/36/EC on the mutual recognition of professional qualifications (MRPQ). Together with Protocol (No 20) on the application of certain aspects of Article 26 of the Treaty of the Functioning of the European Union to the United Kingdom and to Ireland.”

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998 and Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South Ministerial Council, done at Dublin on 8 March 1999. Common Travel Area to allow doctors and clinicians to move freely across the border (the formalised legal status of the CTA is provided for by the Ireland Act 1949, s 2(1) and the Immigration Act 1971, s 1(3)). The Network was established following intergovernmental agreement between Northern Ireland and Ireland Health Ministers in 2014. A Framework Document outlines the model for the implementation and operation of the Network by a Network Board which is overseen by the two health departments. Cooperation is underpinned by Service Level Agreements between commissioner and provider organisations in Northern Ireland and Ireland.”

19 Cross-border Enterprise Rail Service: There is a working agreement between Northern Ireland Railways and Iarnród Éireann to jointly operate the cross-border Enterprise Rail Service between Belfast Central and Dublin Connolly. This involves agreed sharing of revenue and costs.

The project is classified as “Directly underpinned by or linked.”

The EU legal basis is “Safety: Directive 2004/49/EC (to be repealed in 2019/20 by Directive 2016/798/EU); Interoperability: Directive 2008/57/EC (to be repealed in 2019/20 by Directive 2016/797/EU); Train driving licenses and certificates: Directive 2007/58/EC; Market access including operator licensing: Directive 2012/34/EU (to be amended pre-Exit by Directive 2016/2370); Franchising, procurement, state aid rules: EU Regulation 1370/2007 (to be amended pre-Exit by EU Regulation 2016/2338); Passenger rights: EU Regulation 1371/2007. The Common Travel Area arrangements are recognised in Protocol (No 20) on

the application of certain aspects of Article 26 of the Treaty of the Functioning of the European Union to the United Kingdom and to Ireland.

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998 and Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South Ministerial Council, done at Dublin on 8 March 1999. Common Travel Area (the formalised legal status is provided for by the Ireland Act 1949, s 2(1) and the Immigration Act 1971, s 1(3)).

Items listed that specifically mention councils (in general) and local government include:

51 Spatial Planning: “Department for Infrastructure (NI) work cooperatively with colleagues in the Department of Housing Planning Community and Local Government (Ireland) to ensure alignment of respective spatial strategies and to identify shared issues, opportunities and challenges in relation to spatial planning. This work takes various forms including Northern Ireland representation on the National Planning Framework Advisory Group (Ireland); the joint publication of the non-statutory “Framework for cooperation;” joint support for the North West Strategic Growth Partnership and the establishment of a Cross Border Forum for local Council officials involved in taking forward Development Plans.”

The project is classified as “Not underpinned by or linked.”

The EU legal basis is blank.

The UK legal base comments are “Informal arrangements.”

112 Cooperation beyond NSMC (local councils): “Formal and informal engagement between local City & District Councils in Northern Ireland and County Councils in Ireland, both at a political Councillor level and an official/operational level. They provide strategic support on key cross-border regional development issues which relate to sustainability, competitiveness, and social cohesion”

The project is classified as “Not underpinned by or linked.”

The EU legal basis is blank.

The UK legal base comments are “Informal arrangements and collaboration.”

111 All-Island Local Authority Programme: “Joint funding by Department for Communities (Northern Ireland) and Ireland to support the delivery by cooperation Ireland of the All Island Local Authority Programme. The Programme has provided leadership and practical cooperation between local government in Northern Ireland and Ireland, through joint projects, seminars and the production of research publications as well as the facilitation of networking within local government in both jurisdictions.”

The project is classified as “Not underpinned by or linked.”

The EU legal basis is blank.

The UK legal base comments are “Informal arrangements and collaboration.”

112 Local authority led cross-border engagement: “Formal and informal engagement between local City & District Councils in Northern Ireland and County Councils in Ireland, both at a political Councillor level and an official/operational level. They provide strategic support on key cross-border regional development issues which relate to sustainability, competitiveness, and social cohesion.”

The project is classified as “Not underpinned by or linked.”

The EU legal basis is blank.

The UK legal base comments are blank.

Other items listed with direct relevance to Council functions include:

3 Food Safety Promotion Board: “Established by the Implementation Bodies treaty between the UK and Ireland, which is given legal effect in domestic law either side of the border. FSPB is a North-South Implementation Body operating under the auspices of the North-South Ministerial Council. It is accountable to NSMC and is jointly sponsored by the Department of Health, Ireland, and the Department of Health, Northern Ireland.”

The project is classified as “Partially underpinned by or linked.”

The EU legal basis says “The Board itself is underpinned by a Treaty binding on the UK and Irish Governments, rather than an EU legal framework. Some of the Board's initiatives are not directly related to EU law (such as cooperation to tackle childhood obesity), but more broadly food safety is closely linked to relevant EU regulations and frameworks, particularly EU Regulation 178/2002 on General Food law.”

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing Implementation Bodies, done at Dublin on 8 March 1999; Exchange of Letters dated 8 March 1999 constituting a supplementary Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland concerning the Interpretation of Certain Terms of the Implementation Bodies Agreement signed at Dublin on 8 March 1999; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South Ministerial Council, done at Dublin on 8 March 1999.”

30 Cooperation on checks on third country products of animal origin, including fish products and bivalve molluscs: “Normal business exchange of information between the authorities in Northern Ireland with the Department of Agriculture, Food and the Marine (DAM) and liaison regarding relevant consignments of products of animal origin. (This area also link to the 'avoiding a hard border' objective).”

The project is classified as “Directly underpinned by or linked.”

The EU legal basis is “Regulation 882/2004/EC Council Directive 97/78/EC and Commission decision 94/360/EC.”

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998 and Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South

Ministerial Council, done at Dublin on 8 March 1999. Trade in Animal and Related Products Regulations (Northern Ireland) 2011 (TARP regulations). These Regulations provide enforcement authorities with means of enforcing EU legislation laying down controls on imports of animal products from third countries.”

8 Tourism: “Tourism has been identified by the NSMC as one of the priority areas of cross-border cooperation under the Good Friday Agreement. Although not formally a crossborder implementation body under the GFA, Tourism Ireland is a limited company with a board of Directors appointed by the NSMC and is responsible for marketing the island of Ireland in Great Britain and overseas as a tourism destination and to support Northern Ireland to realise its tourism potential. The company takes policy direction from the NSMC and is funded jointly by the Irish Government Department of Transport, Tourism and Sport and the Northern Ireland Executive Department for the Economy.”

The project is classified as “Partially underpinned by or linked.”

The EU legal basis is “The CTA is recognised in Protocol (No 20) on the application of certain aspects of Article 26 of the Treaty of the Functioning of the European Union to the United Kingdom and to Ireland”.

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998 and Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South Ministerial Council, done at Dublin on 8 March 1999. The Common Travel Area and free movement across borders within the CTA enables tourism to be addressed on an all island basis. It facilitates joint promotion of tourism and UK-Ireland visa initiatives for some non-EEA nationals (the formalised legal status of the CTA is provided for by the Ireland Act 1949, s 2(1) and the Immigration Act 1971, s 1(3)).”

1 Special EU Programmes Body: “Established by the Implementation Bodies treaty between the UK and Ireland, which is given legal effect in domestic law either side of the border. Responsible for the implementation of the EU’s PEACE IV and INTERREG VA Programmes”. The North-South Ministerial Council makes decisions on policies and actions to be implemented by the SEUPB.”

The project is classified as “Directly underpinned by or linked.”

The EU legal basis is “The Common Provisions Regulation (EU Regulation 2013/1303); European Territorial Cooperation (ETC) Regulation (EU Regulation 2013/1299).”

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing Implementation Bodies, done at Dublin on 8 March 1999; Exchange of Letters dated 8 March 1999 constituting a supplementary Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland concerning the Interpretation of Certain Terms of the Implementation Bodies Agreement signed at Dublin on 8 March 1999; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South Ministerial Council, done at Dublin on 8 March 1999.”

43 PEACE IV programme: “Current funding programme covers, on a cross-border basis, Shared Education, Children & Young People, Shared Spaces and Services and Building Positive Relations. The content of the PEACE IV programme was agreed by the Northern Ireland Executive and Irish Government through the NSMC, and the European Commission.”

The project is classified as “Directly underpinned by or linked.”

The EU legal basis is “Managed by Special EU Programmes Body and accompanying EU regulation - The Common Provisions Regulation (EU Regulation 2013/1303); ETC Regulation (EU Regulation 2013/1299).”

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing Implementation Bodies, done at Dublin on 8 March 1999; Exchange of Letters dated 8 March 1999 constituting a supplementary Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland concerning the Interpretation of Certain Terms of the Implementation Bodies Agreement signed at Dublin on 8 March 1999; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South Ministerial Council, done at Dublin on 8 March 1999.”

44 INTERREG funding: “Current funding programme covers, on a cross-border basis, Research & Innovation (SMEs and Health & Life Sciences and Renewable Energy), Health, Environment and Sustainable Transport (€240m). INTERREG VA funding can be allocated to Northern Ireland, the border counties of Ireland and western areas of Scotland. It is also 15% match funded by the Northern Ireland Executive and Irish Government. The SEUPB acts as a Managing Authority for INTERREG VA funding.”

The project is classified as “Directly underpinned by or linked.”

The EU legal basis is “Managed by Special EU Programmes Body and accompanying EU regulation - The Common Provisions Regulation (EU Regulation 2013/1303); ETC Regulation (EU Regulation 2013/1299). The Common Provisions Regulation identifies a framework of 11 thematic objectives that are designed to contribute towards the EU 2020 targets.”

The UK legal base comments are “Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland done at Belfast on 10 April 1998; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing Implementation Bodies, done at Dublin on 8 March 1999; Exchange of Letters dated 8 March 1999 constituting a supplementary Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland concerning the Interpretation of Certain Terms of the Implementation Bodies Agreement signed at Dublin on 8 March 1999; Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing a North/South Ministerial Council, done at Dublin on 8 March 1999.”

Other activities listed include:

- **Cross border areas** – cross border loughs and waterways, water pollution and water catchment, water quality and regulation, road networks, obstacles to cross border

mobility, cross-border working group on fire services, and North West Gateway Initiative / North West Development Fund.

- **Infrastructure** – Capital infrastructure projects (infrastructure/transport projects), single electricity market, natural gas, mobile [phone] roaming, subsea cables, provision of mapping data, and geodetic network.
- **Environment** - Waste management, repatriation of waste and cross-border movement of waste including hazardous materials, environmental protection reporting and research, Common Agricultural Policy, plant health and regulatory checks, transmissible spongiform encephalopathies, animal health and welfare working groups, North South working group on veterinary medicines, Convention on International Trade in Endangered Species, fish health and aquaculture, EU Leader cooperation, cross-border cooperation to manage salmon stocks, North South fisheries liaison group, eel stocks on the Erne, habitats and bird directives and associated monitoring, biodiversity, flood risk management, River Basin Management, Lough Erne water levels, Air quality, strategic environmental assessment, forest management, matters relating to radiation, Northern Ireland Water / Irish Water knowledge sharing, all-Ireland pollinator plan, Irish Naturalists Journal, wildfire initiatives, all-Ireland fracking, chemicals regulation, invasive alien species, control of epizootic diseases, DAERA/DAFM Equine Liaison Group, Equine Industry Strategy, veterinary public health and trade meetings, regulation and enforcement of animal health and welfare, landscape monitoring, all-Ireland marsh fritillary, research funding with Ireland on agri-food, farm safety, engagement and information exchange at official level between DAERA and DAFM, Voisinage agreement, checks on live animals and products of animal origin, and Checks on food not of animal origin.
- **Health** - North West Cancer Centre, Cooperation and Working Together (CAWT), child protection, addressing alcohol misuse, major emergencies and A&E planning cooperation, Tuberculosis (TB) Brucellosis (BR) Working Group, mutual recognition of professional qualifications for doctors and clinicians, organs and tissues, Public health, controlled drugs licensing, access to nursery, primary, post-primary and special schools, movement of medicines, devices and other healthcare goods.
- **Education** - Teacher qualifications and professional development, Middletown Centre for Autism, North South Education and Training Standards Committee, educational underachievement, cooperation on inspection matters, cross-border development – academic partnerships – agriculture, Higher and further education in agriculture, food, equine and horticulture disciplines, Libraries Northern Ireland North/South activities, and National Museums Northern Ireland North-South collaboration.
- **Enforcement** - Benefit fraud cross-border, cross-border police cooperation, cross-border secondments and eligibility for posts in policing, fuel fraud, cooperation on criminal justice matters, tackling organised crime and drugs, Independent Reporting Commission, data sharing and operational cooperation on customs matters, relief from safety and security summary declarations, mutual recognition of AEOs, market surveillance for goods, VAT - information sharing, excise fraud, checks on IPR, import licensing controls, export licensing controls, checks on civil explosives, firearms, and offensive weapons.
- **Trade/Business** – Intertrade Ireland, HR policy, Dairy International Trade Working Group, EURES Cross Border Partnership, INVEST Northern Ireland and Enterprise Ireland cooperation, and all Island Public Procurement.
- **Transport** – Commercial vehicle roadworthiness enforcement, vehicle and driver safety checks, road safety - departmental cooperation, cross-border taxis, cabotage, motor insurance, driver and vehicle licensing, international (cross-border) Authorisations for bus and coach services, HGV levy, ferries, all Ireland free travel scheme for senior citizens, transit of goods, road haulage, and international obligations on the carriage of dangerous goods.
- **Cultural** – Irish and Ulster Scots language, Irish language broadcasting, National Traveller Accommodation Consultative Committee, Arts Council of Northern Ireland and

Arts Council / An Chomhairle Ealaíon North-South Touring and Dissemination Scheme, sport collaboration, and cultural goods (national treasures).

- **Other** - Public Service reform, Independent Commission for the Location of Victims' Remains, Joint Committee of Representatives of the Northern Ireland Human Rights Commission and the 'Irish Human Rights and Equality Commission' (formerly the Irish Human Rights Commission), Statistics (CSO & NISRA), and non-commercial movement of Pets.