

UNCLASSIFIED

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

AGENCY FOR INTERNATIONAL DEVELOPMENT

WASHINGTON, D. C. 20523

PROGRAM ASSISTANCE
APPROVAL DOCUMENT
(PAAD)

IRELAND: Cash Transfer
(190-K-601)

September 24, 1986

UNCLASSIFIED

<p>AGENCY FOR INTERNATIONAL DEVELOPMENT</p> <p>PROGRAM ASSISTANCE</p> <p>APPROVAL DOCUMENT</p> <p>(PAAD)</p>		1. PAAD Number 190-K-601	
		2. Country Ireland & the United Kingdom	
		3. Category Non-Project Assistance (Cash Transfer)	
		4. Date	
5. To Charles W. Greenleaf, Jr. Assistant Administrator, ANE		6. OYB Change Number 119	
7. From Peter Bloom Director, ANE/PD		8. OYB Increase None To be taken from: ESF	
9. Approval Requested for Commitment of \$50,000,000.		10. Appropriation Budget Plan Code 72-1161037 QESA-86-37190-KG-31 637-63-190-00-50-61	
11. Type Funding <input type="checkbox"/> Loan <input checked="" type="checkbox"/> Grant	12. Local Currency Arrangement <input checked="" type="checkbox"/> Informal <input type="checkbox"/> Formal <input type="checkbox"/> None	13. Estimated Delivery Period N/A	14. Transaction Eligibility Date Authorization Date
15. Commodities Financed Cash Transfer			
16. Permitted Source U.S. only Limited F.W. Free World Cash \$50,000,000.		17. Estimated Source U.S. Industrialized Countries Local Other	
18. Summary Description			

This effects the U.S. contribution to the International Fund for Northern Ireland and Ireland in support of the Anglo-Irish Agreement signed by the Governments of Ireland and the United Kingdom on November 15, 1985.

ANE/PD:RFVenezia (draft) Date: _____
 ANE/PD/MNE:FYoung (draft) Date: _____
 GC:HFry Date: _____
 ANE/MENA:GKamens (draft) Date: _____
 DAA/ANE:RHBell *RS* Date: 9/24/86

19. Clearances		20. Action	
REG/DP: BSidman	Date (draft)	<input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED	
REG/GC: RJohnson	(draft)		
AA/PPC: JSilver	(draft)		
M/FM: CCHRISTENSEN <i>SP</i>	<u>9/23/86</u>	Authorized Signature	
SER/COM		<i>Charles W. Greenleaf, Jr.</i>	
AA/PRE		Date <u>9/24/86</u>	
		Title Assistant Administrator, ANE	

INTERNATIONAL FUND FOR
NORTHERN IRELAND AND IRELAND

TABLE OF CONTENTS

	<u>PAGE</u>
FACE SHEET	
I. GENERAL CONSIDERATIONS	
(A) The Anglo-Irish Agreement	1
(B) U.S. Support	1
(C) U.S. Legislative History: Appropriating & Authorizing Legislation	2
II. THE FUND	
(A) Legal Status	4
(B) Structure	5
(C) Objectives of the Fund	5
(D) Host Country and Other Donors	7
(E) Role of the U.S.	7
(F) Other U.S. Assistance Available	8
III. ECONOMIC CONSIDERATIONS	
IV. IMPLEMENTATION	
(A) Agreement	8
(B) Disbursements	8
(C) Future Agreements	10
(D) Reporting	10
(E) Evaluation	10
V. ANNEXES	
(A) Draft Trilateral Agreement	
(B) Statutory Checklist	
(C) Draft Agreement between the U.K. AND GOI on Establishment of the Fund	

I. General Considerations

A. The Anglo-Irish Agreement

On November 15, 1985, the Taoiseach (Prime Minister) of Ireland, Dr. Garret Fitzgerald, and the Prime Minister of Great Britain, Mrs. Margaret Thatcher, signed an agreement between their two governments with the aim of promoting peace and stability in Northern Ireland; creating a new climate of friendship and cooperation between the people of the two countries; and improving cooperation in combatting terrorism.

The agreement, inter alia, established an Inter-Governmental Conference in which the Irish Government (GOI) will put forward views and proposals concerning stated aspects of Northern Ireland affairs, mutually discuss the promotion of cross-border cooperation, and undertake mutual efforts to resolve any differences between the two governments.

The Conference will deal on a regular basis with political, security, and legal matters (including the administration of justice), and the promotion of cross-border cooperation. It is this framework within which the two Governments will work together for the accommodation of the rights and identities of the two traditions in Northern Ireland, and for peace, stability and prosperity throughout Ireland by promoting reconciliation, respect for human rights, cooperation against terrorism and the development of economic, social and cultural cooperation.

Article 10(a) of the Agreement states:

"The two Governments shall cooperate to promote the economic and social development of those areas of both parts of Ireland which had suffered most severely from the consequences of the instability of recent years, and shall consider the possibility of securing international support for this work."

The Agreement entered into force on November 29, 1985 after strong endorsement by the legislatures in both countries.

B. U.S. Support

The Agreement immediately received widespread international support. In the U.S., President Reagan, the Speaker of the House, and many other leaders of both parties in both Houses of Congress wholeheartedly applauded the Agreement and commended the accomplishment of both governments in their efforts towards reconciliation of the two communities in Northern Ireland.

President Reagan, on the occasion of the November 15th signing of the Anglo-Irish Agreement stated "I will be working closely with the Congress in a bipartisan effort to find tangible ways for the United States to lend practical support to this important agreement." This reaffirmed the August 30, 1977 commitment of President Carter for the U.S. to "...join with others to see how additional job-creating investment could be encouraged, to the benefit of all the people of Northern Ireland." Speaker of the House Thomas P. O'Neill, Jr., responding to President Reagan's statement, said, "I can assure the President that as Speaker, I will do everything in my power to see that such a commitment, including appropriate financial and economic assistance, is honored by the Congress as swiftly and as fully as possible."

Pursuant to Article 10(a) of the Agreement, the GOI and UK subsequently sought U.S. and other governments' support for an International Fund for Northern Ireland. The Administration prepared a request to the Congress which included a cash contribution and access to various U.S. official financing "facilities", e.g., Housing Guarantees, the Private Enterprise Bureau's Revolving Fund, OPIC guarantees, and Trade and Development Program assistance.

C. History of U.S. Legislation on Aid to Northern Ireland and Ireland

(1) Appropriation Legislation

The FY 1986 Urgent Supplemental appropriated not less than \$50 million in ESF to be made available only as the U.S. contribution to the International Fund for Northern Ireland and Ireland (Fund) established pursuant to the November 15, 1985 agreement between the United Kingdom and Ireland. The monies for the FY 1986 contribution are to be derived through transfer from existing funding accounts in the Foreign Assistance and Related Programs Appropriations Act of 1986. The appropriation places no conditions on the contribution.

(2) Authorizing Legislation

Both the House and Senate passed similar versions of authorizing legislation to provide the U.S. contribution to the Fund. Both bills contained the same conditions on providing such assistance. These are:

- The President, in consultation with the two Governments concerned, should make every effort to ensure U.S. representation on the Board of the Fund.

- Each fiscal year, the U.S. makes a contribution to the Fund only if the President certifies to Congress that:
 - The Board is broadly representative of the interests of the communities in Ireland and Northern Ireland.
 - Disbursements will be made in accordance with the principle of equality of opportunity and non-discrimination in employment, without regard to religious affiliation. They must address the needs of both communities in Northern Ireland.

- At the end of each fiscal year the President will report to Congress on the degree to which:
 - The Fund contributed to reconciliation between the two communities.
 - The U.S. contribution is meeting its objectives of encouraging new investment, job creation and economic reconstruction on the basis of strict equality of opportunity.
 - The Fund has increased respect for the human rights and fundamental freedoms of all people in Northern Ireland.
 - The provisions of the Foreign Assistance Act prohibiting assistance to the police or the military (Secs. 660(a) and 531 (e), respectively) apply to the U.S. contributions.

Beyond being an incentive for economic development and reconciliation in Ireland and Northern Ireland, the U.S. contribution is to promote the establishment of a society in Northern Ireland in which all may live in peace free from discrimination, terrorism, and intolerance, and with an opportunity for both communities to participate fully in the structures and processes of government.

The House and Senate bills differed substantially, however, on the amount of funding to be provided. The House bill (H.R. 4329), which passed on March 11, 1986, authorized \$250 million in five equal installments over the period FY 1986-FY 1990. The Senate bill, S.2572, which passed on July 17, 1986, authorized only \$20 million, \$10 million in each of fiscal years 1986 and 1987. House and Senate conferees have compromised on a total contribution of \$120

million, \$50 million in FY 1986 (already appropriated), \$35 million in FY 1987, and \$35 million in FY 1988. That amount was included in a compromise bill passed by Congress on August 15 and subsequently signed into law. Therefore, we are required to comply with the certification and reporting requirements set down in the bill prior to obligating FY 1986 funds.

In a separate Concurrent Resolution, which became part of the enrolled bill signed into law, Congress authorized the Executive Branch to disburse its FY 1986 contribution to the Fund prior to October 1, 1986. The Resolution explicitly recognizes that this disbursement will take place prior to formal establishment of the Fund, and requires that the dollar transfer be disbursed into and maintained in a separate account. A.I.D. is requesting the GOI/UK to establish a separate, dollar-denominated and interest-bearing trust account to carry out this provision. The interest earned will revert to the U.S. Treasury when the trust account is closed and the principal transferred to the Fund. Establishment of the trust account permits A.I.D. to provide the appropriate Presidential certification with regard to the composition of the Fund Board prior to actual transfer of money to the Fund.

II. THE FUND

(A) Legal Status

The Fund will be will be established as a separate and legal entity by execution of a bilateral agreement between the GOI and UK in September. The agreement will take effect not later than March 31, 1987, following action by the Parliaments of both countries. Accordingly, the specific legal structure of the Fund is not yet available,^{1/} but discussions with the governments have indicated that the Fund will have full and autonomous authority to enter into international agreements (provided neither the GOI or UK Governments interpose objection), accept funds, incur obligations, enter into contracts, and carry out any other responsibilities assigned to it under the Anglo-Irish Agreement. The Fund will be exempt from payment of all direct taxes.

^{1/} This and following sections are based upon AID/W and STATE/EUR discussions held with representatives of the GOI and UK on July 18, August 18, and August 20. It is expected that some variation on the information presented below will occur as the Fund becomes reality. It represents, however, the most complete view of the Fund available.

The Fund will have an independent Board which will consist of not less than six members, plus a Chairman, to serve under terms and conditions established by the two Governments. It is expected that each government will nominate three members and jointly agree upon a Chairman. The Board will, subject to approval of the two Governments, establish its own rules of procedure. The members of the Board will act independently and will not receive instructions from the two Governments on their decisions. Donors to the Fund will be invited to nominate representatives to the Board who will participate in Board meetings with the exception that they will not be permitted to vote.

(B) Structure

The Fund will be assisted by an Advisory Committee composed of representatives of the two Governments and necessary supporting staff. This Committee will provide technical, financial and other relevant assessments on proposals to the Fund. The Board will consider the Advisory Committee's report when deciding upon the merits of an application before it. At this moment, an official from each government's Foreign Affairs Department has been designated as a "Deputy Joint Secretary of the International Fund," and they are working in their respective offices (Belfast and Dublin) on the administrative and policy arrangements in establishing and structuring the Fund.

The Fund will not have a physical office, but will operate out of the Belfast and Dublin offices of the Deputy Joint Secretaries. These offices will be supported by their respective staffs.

It is now contemplated that the costs of administering and supporting the Fund will be met by the two governments and not out of the resources of the Fund.

The Fund expects to receive proposals for consideration in both Dublin and Belfast. On receipt, the proposals will be forwarded to the Advisory Committee to be evaluated for their feasibility and merit, and the analyses and recommendations will be sent to the Board for decision.

(C) Objectives of the Fund

The Fund will seek to promote economic and social development, and to encourage contact, dialogue and conciliation between the nationalists and unionists

throughout Ireland. The need to maximize the economic and social benefits of the Fund in Northern Ireland and Ireland will be the overriding consideration in making disbursements from Fund resources. The disbursements shall also be consistent with the economic and social policies of the respective Governments.

The discussions held to date indicate that the Fund will have the stimulation of private investment and enterprise as its paramount objective. Special attention will be given to setting up venture capital lending programs. The Fund will also encourage voluntary efforts, including self-help proposals, for economic and social projects of communal reconciliation. Fund resources will be carefully targetted for projects which address social and economic problems arising from high unemployment.

The Fund may also establish and capitalize two investment companies, one to be based in each part of Ireland, whose functions will be to furnish venture capital for the private sector. These companies shall be managed by individuals with financial and commercial experience. They will focus on identifying risk capital requirements for new or existing ventures, and provide, on sound commercial criteria, equity capital or loans.

It has been agreed that because of the special problems in Northern Ireland associated with the instability of recent years, approximately 75 percent of the Fund's resources will be spent there, and the balance in the bordering provinces of the Republic of Ireland.

While the Fund's proposed objectives encompass a wide spectrum of economic, social and community activity, A.I.D. has stressed its desire to orient the Fund towards the private sector. Discussions to date have resulted in an appreciation of A.I.D.'s emphasis. As a result, we have agreed with GOI and UK representatives to distinguish between "direct" and "indirect" investment in the private sector, and to establish a ratio of some proportion (e.g. 75-25) to guide the Fund's decisions on these two categories of investments. Documentation to fulfill the conditions which must precede transfer of the U.S. Government contribution to the Fund will lay out more clearly priority development investments and criteria to be used for project selection, and will determine how these two categories will be defined.

There have been some illustrative investments discussed within these guidelines, including venture capital, factory

refurbishment, science and technology, research and development, tourism, urban renewal, cross-border activities (such as roads), and volunteer-based public and private sector activities. We have referred interest in housing investments to the HG program for consideration, indicating that we would prefer to not have the Fund make direct investments in housing with the U.S. cash contribution to the funds. Further discussions will be held with the Board on potential Housing Guaranty program support.

With regard to ensuring that no Fund investments would constitute assistance to the police or police training or assistance to the military or paramilitary, we will include this in our direct discussions with the Board before authorizing transfer of the U.S. contribution from the trust account to the Fund. Also, the U.S. representative to the Fund will receive instructions in this regard.

(D) Host Country and Other Donors

The Canadian government has announced its intention to contribute C\$10 million dollars over ten years to the Fund. Discussions are under way with the governments of Australia, New Zealand, France and Germany on possible contributions. The GOI and UK Governments will defray all operating expenses of administering the Fund, but will make no capital contributions.

(E) Role of the U.S

The nature and scope of U.S. representation on the Board has not been determined at this time beyond the principle that there will be such representation. It is not the intention of A.I.D. to seek approval or voting rights for any specific activity or Board decision after we have agreed upon the policies, procedures and project selection criteria of the Fund. However, we will wish to monitor Fund activities and progress, and we expect to be an active participant in the Board's meetings. There is also the question of a funding source for any U.S. participation in both policy and project-level consultations. For the former, representation to the Board may be effected through A.I.D./W, State, and/or U.S. Embassy personnel. The nature of representation will become more clear after the Board of the Fund is selected and State/A.I.D. negotiates with the Board the matter of donor roles and responsibilities. It is expected there will be OE costs associated with official USG representation, the amount depending on frequency of Board meetings and the extent of actual U.S. representation.

In addition to official representation, there may also be consulting requirements on specific investment proposals. The availability of A.I.D. OE and/or PD&S funds will need to be considered if and when these needs arise.

(F) Other U.S. Assistance Available

The appropriation legislation gives the Fund (and the two Governments) access to four other sources of assistance in furtherance of meeting the objectives of the Anglo-Irish Agreement. They are the Housing Guarantee program, Trade and Development program, Overseas Private Investment Corporation and the Private Enterprise Bureau's Revolving Fund. No activity is expected from any of these sources in FY 86; however, the two Governments have expressed interest in pursuing the applicability of these assistance mechanisms next year.

III. Economic Considerations

No balance of payments analysis is contained in the PAAD as the rationale and justification for this assistance flows from an Executive and Congressional determination in support of U.S. foreign policy goals.

The Fund, however, will carry out appropriate and necessary economic, social, financial and engineering analyses on all proposed activities to insure viability and relevance to meeting the objectives of the Anglo-Irish Agreement.

IV. Implementation

(A) The Agreement

The decision to establish the Fund as a legal entity will require that both Parliaments approve the exchange of notes necessary to constitute the Fund. This is not possible to accomplish prior to September 30, 1986. Accordingly, the A.I.D. agreement will be signed between A.I.D. and the two Governments. The draft Agreement is attached as Annex 1.

(B) Disbursements

Because it has been determined that disbursement of U.S. funding appropriated in FY 1986 must occur prior to October 1, 1986, A.I.D. has set as a condition precedent that the two Governments establish a "trust" account, denominated in U.S. dollars, to receive the contribution pending formal establishment of the Fund.

A.I.D. has also established a covenant which incorporates conditions to be met prior to transfer of these dollars from the Account to the Fund. These conditions require evidence that the Fund has been established and is prepared to begin operations. These are:

--- [1] Copies of the Agreement between the two Governments establishing the Fund (draft text is contained in Annex C of this PAAD);

--- [2] Certification by competent legal authorities of each Government that the Agreement and any other legal action required by each Government, sufficient to establish the Fund as a legal entity with all necessary authorities, has been accomplished and that the Fund exists in fact.

--- [3] Documentation providing evidence of the organization of the Fund, and its designated representatives authorized to act legally in its behalf.

--- [4] Documentation evidencing the objectives of the Fund, the priority development investments it intends to pursue, and preliminary programming estimates guiding the Fund on investments to be pursued by geographic region and sectors of activities.

--- [5] Documentation outlining the appraisal process including the criteria against which a project will be measured and any relevant engineering, financial, economic and social analysis necessary to assess its feasibility, value for money, and economic and social impact.

--- [6] The names of the members of the Board and of the Joint Secretaries of the Fund.

--- [7] Documentation outlining the role and responsibilities of donors to the Fund.

--- [8] Documentation outlining the scope and nature of reporting to donors on the impact of Fund activities on meeting its objectives and the internal and external auditing procedures the Fund intends to follow in managing its resources. It is understood that financial records shall be maintained in accordance with generally accepted accounting principles, and retained for at least three years.

We expect to receive drafts of these materials shortly after signing the Grant Agreement, with the expectation that they will be approved in time for release of the funds from the Account to the Fund upon its approval by the Parliaments of both governments prior to March 31, 1987.

(C) Future Agreements

We have stated our preference to sign any future grant agreements directly with the Fund.

(D) Reporting

A.I.D. will receive periodic reports on Fund activity. Additionally, the Fund will also issue annual audit reports of its operations, and A.I.D. will receive a copy in accordance with its usual policy on the audit of public international organizations to which A.I.D. is not the sole contributor.

The Presidential certification prior to each fiscal year's obligation of funds, and the end of year annual report on Fund achievement of objective will be prepared by State with input from the USG representative to the Board. The report will also draw upon the Fund's own reports and its annual audit. A.I.D. will provide input on how the Fund's activities have contributed to new investment, private sector growth and job creation on the basis of equality of opportunity.

(E) Evaluation

No in-depth evaluation is contemplated beyond the level of consultation expected and exercised by the U.S. representative to the Board. However, A.I.D. may, upon request, share with the Fund its evaluation criteria, methods and experience in project selection, design and monitoring.

ANNEX A

DRAFT PROJECT AGREEMENT
(TRILATERAL)

11

Annex A

AGREED DRAFT

Agreement between the Government of Ireland, the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America Concerning the International Fund for Ireland

The Government of Ireland, the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter together referred to as "the two Governments") and the Government of the United States of America acting through the Agency for International Development (hereinafter referred to as the "Donor"):

Considering that the two Governments:

- (i) concluded an Agreement dated 15 November 1985 which in Article 10(a) provided that: "The two Governments shall cooperate to promote the economic and social development of those areas of both parts of Ireland which have suffered most severely from the consequences of the instability of recent years and shall consider the possibility of securing international support for this work"; and
- (ii) signed a further Agreement on September 18, 1986 for the purpose of establishing an International Fund for Ireland (hereinafter referred to as "the Fund") as an international organization of which the two Governments are members, that agreement to enter into force in accordance with the terms of Article 14 thereof;

Considering that the Congress of the United States enacted, and the President signed a law, for the appropriation of \$50,000,000 as a contribution to the Fund;

Have agreed as follows:

ARTICLE 1

(The Agreement)* The purpose of this Agreement is to set out the understanding of the Parties to this Agreement with respect to the undertaking described below and with respect to the financing of the Fund by the donor.

ARTICLE 2

(The Fund) It is agreed that, before the establishment of the Fund, the two Governments and, after its establishment, the Board of the Fund shall involve the Donor in

substantive discussions in order to take into account, among other matters, the concerns, procedural and programmatic emphases expressed by the U.S. Congress in authorizing and appropriating the assistance granted herein.

ARTICLE 3

(The Financing) As a contribution to the capital of the Fund, the Donor agrees with the two Governments to grant the Fund, under the terms of this Agreement, a sum not to exceed Fifty Million United States Dollars (\$50,000,000.00) (hereinafter referred to as the "Grant").

ARTICLE 4

(Condition Precedent to Disbursement) Disbursement of the Grant, in whole or in part, and the issuance by the Donor of documentation enabling such disbursement, will take place only after the two Governments have furnished to the Donor:

- (i) evidence of the establishment of a separate US dollar-denominated bank account (hereinafter referred to as the "Trust Account") in a recognised bank (hereinafter called the "Trustee Bank") to receive and hold the Grant pending legal establishment of the Fund and satisfaction of the condition set forth in Article 6 herein,

* The titles of the Articles are retained in brackets for ease of reference but will be deleted before signature.

(ii) evidence that the Trustee Bank has undertaken:

- to hold the Grant in trust for the Fund pending further instructions from the two Governments either to transfer the grant to the Fund or to return the grant, with interest, to the USA;
- to open a separate account for the interest earned on the Grant, such interest to be at the highest rate consistent with the need for the Grant to be transferred to the Fund on one week's notice;
- to transfer the interest to the Donor for the credit of the United States Treasury;
- to maintain, in accordance with the Trustee Bank's usual accounting principles and practices, books and records relating to the Trust Account, to be audited at quarterly intervals in accordance with generally accepted auditing standards;
- to maintain these books and records for a period of three years after the date of the transfer of the Grant from the Trust Account to the Fund;
- to provide the Donor with a full statement of the Trust Account before any transfer from it takes place;
- to afford the authorized representatives of the Donor the opportunity at all reasonable times to inspect and audit the Trust Account and books, records and other documents relating thereto.

If the evidence referred to above has not been furnished by 26 September 1986, the Donor, at its option, may terminate this Agreement by written notice to the two Governments.

ARTICLE 5

(Disbursement) On receipt of the evidence specified in Article 4, disbursement of the Grant by the Donor may be made to the Trust Account through electronic funds transfer.

ARTICLE 6

(Transfer of the Grant to the Fund) The Donor will issue documentation to the two Governments, indicating its approval, and the two Governments will instruct the Trustee Bank to transfer the Grant to the Fund only after:

- (i) the two Governments have furnished to the Donor evidence of the legal establishment of the Fund as set out in Annex A and
- (ii) the Fund, after its establishment, has furnished to the Donor evidence as to its administration and operation as set out in Annex B.

If the conditions specified in this Article have not been met by March 31, 1987, or such later date as the Donor may agree to in writing, the Donor may require the two Governments to instruct the Trustee Bank to return the Grant, and any earned interest, in United States Dollars, to the Donor within thirty (30) days after receipt of a request therefor.

ARTICLE 7

(Grant Implementation Letters) After the establishment of the Fund, the Donor and the Fund may use Grant Implementation Letters which have been jointly agreed to confirm and record their mutual understanding on aspects of the implementation of this Agreement.

ARTICLE 8

(Communications) Any notice, request, document, or other communication under this Agreement will be sent through the diplomatic channel in the case of communications addressed to the two Governments; to the Joint Secretaries in the case of communications addressed to the Fund; and to the Agency for International Development in the case of documents addressed to the Donor.

ARTICLE 9

(Representatives) For the purposes of this Agreement, the two Governments will be represented by the individuals holding the office of Joint Chairman of the Advisory Committee to the Board of the Fund and the Donor will be represented by the individual holding or acting in the Office of the Deputy Assistant Administrator for Asia and the Near East, each of whom, by written notice, may designate additional representatives for all purposes other than amending this Agreement.

ARTICLE 10

This agreement shall enter into force on signature.

IN WITNESS WHEREOF, the undersigned, duly authorized thereto, have signed this Agreement.

Done in triplicate* in Washington this ____th day of _____ 1986

For the Government of Ireland

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

For the United States of America

* The three copies will be identical, and will use alphabetical order and the terminology usual in multilateral international instruments.

ANNEX B

STATUTORY CHECKLISTS

1. Country Checklist
2. Standard Item Checklist
3. Non-Project Assistance Checklist

5C(1) - COUNTRY CHECKLIST

Listed below are statutory criteria applicable generally to FAA funds, and criteria applicable to individual fund sources: Development Assistance and Economic Support Fund.

A. GENERAL CRITERIA FOR COUNTRY ELIGIBILITY

1. FAA Sec. 481(h)(1); FY 1985 Continuing Resolution Section 528. Has it been determined or certified to the Congress by the President that the government of the recipient country has failed to take adequate measures or steps to prevent narcotic and psychotropic drugs or other controlled substances (as listed in the schedules in section 202 of the Comprehensive Drug Abuse and Prevention Control Act of 1971) which are cultivated, produced or processed illicitly, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to U.S. Government personnel or their dependents or from entering the U.S. unlawfully? No.

2. FAA Sec. 481(h)(4). Has the President determined that the recipient country has not taken adequate steps to prevent (a) the processing, in whole or in part, in such country of narcotic and psychotropic drugs or other controlled substances, (b) the transportation through such country of narcotic and psychotropic drugs or other controlled substances, and (c) the use of such country as a refuge for illegal drug traffickers? No.

3. FAA Sec. 620(c). If assistance is to a government, is the government liable as debtor or unconditional guarantor on any debt to a U.S. citizen for goods or services furnished or ordered where (a) such citizen has exhausted available legal remedies and (b) the debt is not denied or contested by such government? No.

4. FAA Sec. 620(e)(1). If assistance is to a government, has it (including government agencies or subdivisions) taken any action which has the effect of nationalizing, expropriating, or otherwise seizing ownership or control of property of U.S. citizens or entities beneficially owned by them without taking steps to discharge its obligations toward such citizens or entities? No.
5. FAA Sec. 620(a), 620(f), 620(D); FY 1985 Continuing Resolution Sec. 512 and 513. Is recipient country a Communist country? (If so, has the President determined that assistance to the country is important to the national interests of the United States? Will assistance be provided to Angola, Cambodia, Cuba, Laos, Syria, Vietnam, Libya, or South Yemen? Will assistance be provided to Afghanistan or Mozambique without a waiver. No.
6. FAA Sec. 620(j) Has the country permitted, or failed to take adequate measures to prevent, the damage or destruction by mob action of U.S. property? No.
7. FAA Sec 620(1). Has the country failed to enter into an agreement with OPIC? No.
8. FAA Sec. 620(o), Fishermen's Protective Act of 1967, as amended, Sec. 5. (a) Has the country seized, or imposed any penalty or sanction against, any U.S. fishing activities in international waters? No.
- (b) If so, has any deduction required by the Fishermen's Protective Act been made?

9. FAA Sec. 620(g), FY 1985 Continuing Resolution Sec. 518. (a) Has the government of the recipient country been in default for more than six months on interest or principal of any A.I.D. loan to the country?
(b) Has the country been in default for more than one year on interest or principal on any U.S. loan under a program for which the appropriation bill (or continuing resolution) appropriates funds?
- No; neither the GOI nor the UK have debt obligations to A.I.D.
10. FAA Sec. 620(s). If contemplated assistance is development loan or from Economic Support Fund, has the Administrator taken into account the amount of foreign exchange or other resources which the country has spent on military equipment? (Reference may be made to the annual "Taking into Consideration" memo: "Yes, taken into account by the Administrator at time of approval of Agency OYB." This approval by the Administrator of the Operational Year Budget can be the basis for an affirmative answer during the fiscal year unless significant changes in circumstances occur.)
- N/A
11. FAA Sec. 620(t). Has the country severed diplomatic relations with the United States? If so, have they been resumed and have new bilateral assistance agreements been negotiated and entered into since such resumption?
- No to first question
12. FAA Sec. 620(u). What is the payment status of the Country's U.N. obligations? If the Country is in arrears, were such arrearages taken into account by the A.I.D. Administrator in determining the current A.I.D. Operational Year Budget? (Reference may be made to the Taking into Consideration memo.)
- Neither Country is in arrears to its U.N. obligations.

13. FAA Sec, 620A; FY 1985 Continuing Resolution Sec. 521. Has the President determined that the country (a) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or (b) otherwise supports international terrorism? Has the government of the recipient country aided or abetted, by granting sanctuary from prosecution to, any individual or group which has committed or is being sought by any other government for prosecution for any war crime or act of international terrorism?
- Neither country grants sanctuary to individuals or groups responsible for acts of terrorism, nor supports international terrorism.
14. ISDCA of 1985 Sec. 552(b). Has the Secretary of State determined that t country is a high terrorist threat country after the Secretary of Trans tation has determined, pursuant to section 1115(e)(2) of the Federal Aviation Act of 1958, that an airpor in the country does not maintain and administer effective security measur
- N/A
15. FAA Sec. 666. Does the country object, on the basis of race, religion, national origin or sex, to the presence of any officer or employee of the U.S. who is present in such country to carry out economic development programs under the FAA?
- No.
16. FAA Sec. 669, 670. Has the country, after August 3, 1977, delivered or received nuclear enrichment or reprocessing equipment, materials, or technology, without specified arrangements or safeguards? Has it transferred a nuclear explosive device to a non-nuclear weapon state, or if such a state, either received or detonated a nuclear explosive device? (FAA Sec. 620E permits a special waiver of Sec. 669 for Pakistan.)
- No.

17. FAA Sec. 670. If the country is a non nuclear weapon state, has it, on or after August 8, 1985, exported illegally (or attempted to export illegally) from the United States any material, equipment, or technology which would contribute significantly to the ability of such country to manufacture a nuclear explosive device?
- Neither the U.K. nor nor the Government of Ireland receives exports of U.S. equipment, materials or technology permitting it to manufacture a nuclear device.
18. ISDCA of 1981 Sec. 720. Was the country represented at the Meeting of Ministers of Foreign Affairs and Heads of Delegations of the Non-Aligned Countries to the 36th General Assembly of the U.N. of Sept. 25 and 28, 1981, and failed to disassociate itself from the communique issued? If so, has the President taken it into account? (Reference may be made to the Taking into Consideration memo.)
- Neither country was so represented.
19. FY 1985 Continuing Resolution. If assistance is from the population functional account, does the country (or organization) include as part of its population planning programs involuntary abortion?
- N/A
20. FY 1985 Continuing Resolution Sec. 530. Has the recipient country been determined by the President to have engaged in a consistent pattern of opposition to the foreign policy of the United States?
- No

22

B. FUNDING SOURCE CRITERIA FOR COUNTRY ELIGIBILITY

1. Development Assistance Country Criteria

N/A

FAA Sec. 116. Has the Department of State determined that this government has engaged in a consistent pattern of gross violations of internationally recognized human rights? If so, can it be demonstrated that contemplated assistance will directly benefit the needy?

2. Economic Support Fund Country Criteria

FAA Sec. 502B. Has it been determined that the country has engaged in a consistent pattern of gross violations of internationally recognized human rights? If so, has the country made such significant improvements in its human rights record that furnishing such assistance is in the national interest?

Neither country has engaged in gross violations of recognized human rights.

5C(3) - STANDARD ITEM CHECKLIST

Listed below are the statutory items which normally will be covered routinely in those provisions of an assistance agreement dealing with its implementation, or covered in the agreement by imposing limits on certain uses of funds.

These items are arranged under the general headings of (A) Procurement, (B) Construction, and (C) Other Restrictions.

A. Procurement

1. FAA Sec. 602. Are there arrangements to permit U.S. small business to participate equitably in the furnishing of commodities and services financed? N/A. Assistance will be in the form of a cash transfer. No direct financing of commodities or services is anticipated.
2. FAA Sec. 604(a). Will all procurement be from the U.S. except as otherwise determined by the President or under delegation from him? N/A. Assistance will be in the form of a cash transfer. No direct financing of commodities or services is anticipated.
3. FAA Sec. 604(d). If the cooperating country discriminates against marine insurance companies authorized to do business in the U.S., will commodities be insured in the United States against marine risk with such a company? N/A
4. FAA Sec. 604(e); ISDCA of 1980 Sec. 705(a). If offshore procurement of an agricultural commodity or product is to be financed, is there provision against such procurement when the domestic price of such commodity is less than parity? (Exception where commodity financed could not reasonably be procured in U.S.) No offshore procurement is anticipated under this program.

5. FAA Sec. 604(g). Will construction or engineering services be procured from firms of countries which receive direct economic assistance under the FAA and which are otherwise eligible under Code 941, but which have attained a competitive capability in international markets in one of these areas? Do these countries permit United States firms to compete for construction or engineering services financed from assistance programs of these countries? N/A
6. FAA Sec. 603. Is the shipping excluded from compliance with requirement in section 901(b) of the Merchant Marine Act of 1936, as amended, that at least 50 per centum of the gross tonnage of commodities (computed separately for dry bulk carriers, dry cargo liners, and tankers) financed shall be transported on privately owned U.S. flag commercial vessels to the extent that such vessels are available at fair and reasonable rates? N/A
7. FAA Sec. 621. If technical assistance is financed, will such assistance be furnished by private enterprise on a contract basis to the fullest extent practicable? If the facilities of other Federal agencies will be utilized, are they particularly suitable, not competitive with private enterprise, and made available without undue interference with domestic programs? N/A. No technical assistance will be financed under this program.
8. International Air Transport. Fair Competitive Practices Act, 1974. If air transportation of persons or property is financed on grant basis, will U.S. carriers be used to the extent such service is available? N/A

9. FY 1985 Continuing Resolution Sec. 504. If the U.S. Government is a party to a contract for procurement, does the contract contain a provision authorizing termination of such contract for the convenience of the United States.
- N/A. The USG will not be party to any procurement contracts.
- B. Construction
1. FAA Sec. 601(d). If capital (e.g., construction) project, will U.S. engineering and professional services be used? N/A
2. FAA Sec. 611(c). If contracts for construction are to be financed, will they be let on a competitive basis to maximum extent practicable? N/A
3. FAA Sec. 620(k). If for construction of productive enterprise, will aggregate value of assistance to be furnished by the U.S. not exceed \$100 million? (except for productive enterprises in Egypt that were described in the CP)? No
- C. Other Restrictions
1. FAA Sec. 122(b). If development loan, is interest rate at least 2% per annum during grace period and at least 3% per annum thereafter? N/A
2. FAA Sec. 301(d). If fund is established solely by U.S. contributions and administered by an international organization, does Comptroller General have audit rights? Fund will be established by contributions from the U.S. and several other British Commonwealth countries. The usual provision for receipt of audit reports from public international organizations where A.I.D. is not the sole contributor to a fund is being incorporated in the grant transaction.

3. FAA Sec. 620(h). Do arrangements exist to insure that United States foreign aid is not used in a manner which, contrary to the best interests of the United States, promotes or assists the foreign aid projects or activities of the Communist-bloc countries?

All activities to be financed by the Fund will benefit Northern Ireland and specific areas of Ireland.

4. Will arrangements preclude use of financing:

a. FAA Sec. 104(f); FY 1985 Continuing Resolution Sec. 527:
(1) To pay for performance of abortions as a method of family planning or to motivate or coerce persons to practice abortions; (2) to pay for performance of involuntary sterilization as a method of family planning, or to coerce or provide financial incentive to any person to undergo sterilization; (3) to pay for any biomedical research which relates, in whole or part, to methods or the performance of abortions or involuntary sterilizations as a means of family planning; (4) to lobby for abortion?

In response to items 4.a through 4.1, the A.I.D. contribution is as a cash grant to the Fund's capital. The Fund's charter restricts the Fund's investments to economic and social development and precludes investment in the areas listed here further opportunity to reinforce programmatic emphases in discussions with the Board and the U. S. representative will receive appropriate instruction.

b. FAA Sec. 438. To reimburse persons, in the form of cash payments, whose illicit drug crops are eradicated?

c. FAA Sec. 620(g). To compensate owners for expropriated nationalized property?

d. FAA Sec. 660. To provide training or advice or provide any financial support for police, prisons, or other law enforcement forces, except for narcotics programs?

e. FAA Sec. 662. For CIA activities?

f. FAA Sec. 636(i). For purchase, sale, long-term lease, exchange or guaranty of the sale of motor vehicles manufactured outside U.S., unless a waiver is obtained?

- g. FY 1985 Continuing Resolution, Sec. 503. To pay pensions, annuities, retirement pay, or adjusted service compensation for military personnel?
- h. FY 1985 Continuing Resolution, Sec. 505. To pay U.N. assessments, arrearages or dues?
- i. FY 1985 Continuing Resolution, Sec. 506. To carry out provisions of FAA Section 209(d) (Transfer of FAA funds to multilateral organizations for lending)?
- j. FY 1985 Continuing Resolution, Sec. 510. To finance the export of nuclear equipment, fuel, or technology or to train foreign nationals in nuclear fields?
- k. FY 1985 Continuing Resolution, Sec. 511. Will assistance be provided for the purpose of aiding the efforts of the government of such country to repress the legitimate rights of the population of such country contrary to the Universal Declaration of Human Rights?
- l. FY 1985 Continuing Resolution, Sec. 516. To be used for publicity or propoganda purposes within U.S. not authorized by Congress?

3(A)2 NONPROJECT ASSISTANCE CHECKLIST

A. GENERAL CRITERIA FOR NONPROJECT ASSISTANCE

- 1. FY 1985 Continuing Resolution Sec. 525: FAA Sec. 634A
Describe how authorizing and appropriations committees of Senate and House have been or will be notified concerning the project assistance.

Since the funds to carry out this have been earmarked for the FY 1986 Urgent Supplemental, no Congressional Notification is necessary.

2. FAA Sec. 611(a)(2). If further legislative action is required within recipient country, what is basis for reasonable expectation that such action will be completed in time to permit orderly accomplishment of purpose of the assistance?
- No further legislative action is required by the recipient countries prior to authorization. Legislative action to sanction the Fund's creation will be completed before December 31, 1986.
3. FAA Sec. 209. Is assistance more efficiently and effectively given through regional or multilateral organizations? If so, why is assistance not so given? Information and conclusion whether assistance will encourage regional development programs.
- No.
4. FAA Sec. 601(a). Information and conclusions whether assistance will encourage efforts of the country to: (a) increase the flow of international trade; (b) foster private initiative and competition; (c) encourage development and use of cooperatives, credit unions, and savings and loan associations; discourage monopolistic practices; (e) improve technical efficiency of industry, agriculture and commerce; and strengthen free labor unions.
- The Fund will contribute to private sector development in Northern Ireland and stimulate such investment. Specific activities have yet to be identified. Development of cooperatives is not precluded under the Fund concept. Some investments may contribute to improved technical efficiency of industry. Since the program is set up as a cash contribution to the Fund's capital, it is uncertain how U.S. private trade and investment will be encouraged. Some U.S. consultant assistance for feasibility studies, funded from the Fund's resources in local currency, may result.
5. FAA Sec. 601 (b). Information and conclusions on how assistance will encourage U.S. private trade and investment abroad and encourage private U.S. participation in foreign assistance programs (including use of private trade channels and the services of U.S. private enterprise).
6. FAA Sec. 612(b), Sec. 636(h); FY 1985 Continuing Resolution Sec. 507. Describe steps taken to assure that, to the maximum extent possible, the country is
- The U.S. owns no currencies of the recipient countries. The U.K. and GOI governments will pay all

contributing local currencies to meet the cost of contractual and other services, and foreign currencies owned by the United States are utilized in lieu of dollars.

expenses for operation and maintenance of the Fund.

7. FAA Sec. 612(d). Does the United States own excess foreign currency of the country and, if so, what arrangements have been made for its release? No.
8. FAA Sec. 601(e). Will the assistance utilize competitive selection procedures for the awarding of contracts, except where applicable procurement rules allow otherwise? N/A
9. FAA 121(d). If assistance is being furnished under the Sahel Development Program, has a determination been made that the host government has an adequate system for accounting for and controlling receipt and expenditure of A.I.D. funds? N/A
10. FY 1985 Continuing Resolution Sec. 536. Is disbursement of the assistance conditioned solely on the basis of the policies of any multilateral institution? No.

B. FUNDING CRITERIA FOR NONPROJECT ASSISTANCE

1. Nonproject Criteria for Economic Support Fund Assistance (a) FAA Sec.- 531(a). Will this assistance promote economic or political stability? Yes. This assistance will help promote the economic and social welfare of the affected population of North Ireland and Ireland and is pursuant to the Anglo-Irish Accord of 1985.

To the maximum extent feasible, is this assistance consistent with the policy directions, purposes, and programs of part I of the FAA?

Yes.

(b) FAA Sec. 531(c). Will assistance under this chapter be used for military, or paramilitary activities? No.

(c) FAA Sec. 531(d). Will ESF funds made available for commodity import programs or other program assistance be used to generate local currencies? If so, will such local currencies be available to support activities consistent with the objectives of FAA sections 103 through 106? N/A

(d) ISDCA of 1985 Sec. 205. Will ESF funds made available for commodity import programs be used for the purchase of agricultural commodities of United States-origin? If so, what percentage of the funds will be so used? N/A

(e) ISDCA of 1985 Sec. 801. If ESF funds will be used to finance imports by an African country (under a commodity import program or sector program), will the agreement require that those imports be used to meet long-term development needs in those countries in accordance with the following criteria? N/A

(i) spare parts and other imports shall be allocated on the basis of evaluations, by A.I.D., of the ability of likely recipients to use such spare parts and imports in a maximally productive, employment generating, and cost effective way;

(ii) imports shall be coordinated with investments in accordance with the recipient country's plans for promoting economic development. A.I.D. shall assess such plans to determine whether they will effectively promote economic development;

(iii) emphasis shall be placed on imports for agricultural activities which will expand agricultural production, particularly activities

which expand production for export or production to reduce reliance on imported agricultural products;

(iv) emphasis shall also be placed on a distribution of imports having a broad development impact in terms of economic sectors and geographic regions;

(v) in order to maximize the likelihood that the imports financed by the United States under the ESF chapter are in addition to imports which would otherwise occur, consideration shall be given to historical patterns of foreign exchange uses;

(vi)(A) seventy-five percent of the foreign currencies generated by the sale of such imports by the government of the country shall be deposited in a special account established by that government and, except as provided in subparagraph (B), shall be available only for use in accordance with the agreement for economic development activities which are consistent with the policy directions of section 102 of the FAA and which are the types of activities for which assistance may be provided under sections 103 through 106 of the FAA:

(B) the agreement shall require that the government of the country make available to the United States Government such portion of the amount deposited in the special account as may be determined by the President to be necessary for requirements of the United States Government.

(f) ISDCA of 1985 Sec. 207. Will ESF funds be used to finance the construction of, or the operation or maintenance of, or the operation or maintenance of, or

No.

the supplying of fuel for, a nuclear facility? If so, has the President certified that such country is a party to the Treaty on the Non-Proliferation of Nuclear Weapons or the Treaty for the Prohibition of Nuclear Weapons in Latin American (the "Treaty of Tlatelolco"), cooperates fully with the IAEA, and pursues nonproliferation policies consistent with those of the United States?

(g) FAA Sec. 609. If commodities are to be granted so that sale proceeds will accrue to the recipient country, have Special Account (counterpart) arrangements been made?

N/A.

Annex C

DRAFT AGREEMENT BETWEEN THE
UNITED KINGDOM AND THE GOVERNMENT OF IRELAND
ON ESTABLISHMENT OF THE FUND

AGREED DRAFT

AGREEMENT BETWEEN THE GOVERNMENT OF IRELAND AND THE
GOVERNMENT
OF THE UNITED KINGDOM CONCERNING THE INTERNATIONAL FUND FOR
IRELAND

The Government of Ireland and the Government of the United
Kingdom:

Desiring to establish a fund to contribute to the work
envisaged in Article 10(a) of the Anglo-Irish Agreement of
15 November 1985, which provides as follows: "The two
Governments shall co-operate to promote the economic and
social development of those areas of both parts of Ireland
which have suffered most severely from the consequences of
the instability of recent years, and shall consider the
possibility of securing international support for this
work";

Convinced that such a Fund would be an important expression
of international support for the common commitment of the
two Governments to peace, stability, dialogue and
reconciliation in Ireland, and their common opposition to
the exploitation of instability for political ends;

Recognising that serious under-employment and multiple
deprivation create an environment in which instability can
flourish, and that instability and conflict in turn create
conditions which are inimical to social and economic
progress;

Recognising the damage caused to both parts of Ireland by
that instability;

Have agreed as follows:

ARTICLE 1

The International Fund for Ireland is hereby established by
the two Governments for the purposes and in the manner set
out in this Agreement.

ARTICLE 2

The objectives of the Fund are to promote economic and
social advance and to encourage contact, dialogue and
reconciliation between nationalists and unionists
throughout Ireland.



ARTICLE 3

In pursuance of these objectives, the Fund shall stimulate private investment and enterprise, supplement public programmes and encourage voluntary effort, including self-help schemes. In the voluntary sphere, special emphasis shall be placed on supporting economic and social projects sponsored by men and women of good will throughout Ireland who are engaged in the task of communal reconciliation. The need to maximize the economic and social benefits of the Fund in Ireland shall be an overriding consideration in making disbursements from its resources and these disbursements shall be consistent with the economic and social policies and priorities of the respective Governments. Because of the special problems in Northern Ireland associated with the instability of recent years, approximately three-quarters of the resources of the Fund shall be spent there.

ARTICLE 4

In accordance with the objectives and criteria set out above, the Fund shall give priority on a value for money basis to the following:

- (a) the stimulation of private sector investment, in particular by means of venture capital arrangements using some of the resources of the Fund;
- (b) projects of benefit to people in both parts of Ireland, for example, improved communications and greater cooperation in the economic, educational and research fields;
- (c) projects to improve the quality and conditions of life for people in areas facing serious economic and/or social problems. Spending will be carefully targeted to meet needs arising from factors such as high unemployment; underdeveloped social, health or education facilities, poor environment and sub-standard infrastructures;
- (d) projects to provide wider horizons for people from both traditions in Ireland including opportunities for industrial training and work experience overseas.

ARTICLE 5

(1) The Fund is established as an international organization of which the two Governments are members.

(2) The Fund shall have legal personality. Its legal capacity shall include the capacity to contract, to acquire and dispose of property and to institute legal proceedings. In particular it shall have power to enter into agreements with any donor consistent with the provisions of this Agreement provided that neither Government has indicated any objection. The Fund shall be exempt from the payment of direct taxes.

ARTICLE 6

The Fund shall have as its sole principal organ a Board which will consist of a Chairman and not less than six other members. The Chairman and other members of the Board shall be appointed jointly by the two Governments. They shall serve on terms and conditions decided by the two Governments. Donor countries if they so wish may send observers to participate in Board meetings. The decisions of the Board shall be taken by a majority. The Board shall, subject to the approval of the two Governments, establish rules of procedure and operating rules. Under these rules, a power of the Board may be delegated to one or more of its members. Subject to this agreement, the members of the Board shall act independently and shall not receive instructions from Governments as to the exercise of their powers.

ARTICLE 7

The Board shall consider applications for assistance from the resources of the fund and, if the Board is satisfied that they fall within the purposes set out above, may authorize grants and loans to any authority or any person or association for the purposes set out in the foregoing articles. The Fund shall also provide resources for the establishment of the two companies referred to in Article 9 below.

ARTICLE 8

The Fund may contribute to the resources of existing bodies specializing in the provision of venture capital to be used for purposes within Article 4 of this Agreement.

ARTICLE 9

The Fund shall also provide money for and initiate the establishment of two Investment Companies, one to be established in each part of Ireland, with a significant number of common directors and similar objectives, whose

function will to be furnish venture capital for the private sector. Persons of established commercial experience especially in the international field shall be invited by the Board of the Fund to participate in the management of these Companies. Each of these Companies shall be concerned with ventures primarily in one of the two parts of Ireland and shall be registered there; but in appropriate cases, they may both support a venture or enterprise. The Companies shall identify the risk capital needs for ventures of existing or new industrial and commercial enterprises and will provide, on sound commercial criteria, equity capital or loans. The aim of the Companies shall be further to stimulate viable and self-sustaining growth in the private sector of the economies of both parts of Ireland.

ARTICLE 10

The Board shall be assisted by an Advisory Committee composed of representatives of the two Governments, in particular as regards all applications made to the Fund under Article 7. The accommodation and secretarial services necessary for the proper functioning of the Fund, together with its general administrative and organizational expenses, shall be provided jointly by the two Governments.

ARTICLE 11

The Board shall appoint auditors who will annually audit the accounts of the Fund. The report of the auditors shall be published.

ARTICLE 12

The Board shall present annually a report to the two Governments and to donors to the Fund.

ARTICLE 13

This Agreement may be amended by a further Agreement between the two Governments.

ARTICLE 14

This Agreement shall enter into force on the date on which the two Governments exchange notifications of their acceptance of it except that Article 5(2) shall become effective only after the completion of any remaining steps necessary in that connection. The Agreement shall continue in force until terminated by mutual agreement or by six

months' notice, and thereafter shall remain in force for as long as and to the extent necessary for an orderly liquidation of any remaining assets of the Fund in accordance with the spirit of the Agreement in full consultation with the donors.

In witness thereof the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

Done in two originals at _____ on the _____ day of 1986.

For the Government, For the Government of the Kingdom of Great Britian, and Republic of Ireland, Northern Ireland.