



CRS Report for Congress

Northern Ireland: The Peace Process

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Summary

For years, the British and Irish governments have sought to facilitate a peaceful settlement to the conflict in Northern Ireland. After many ups and downs, the two governments and the Northern Ireland political parties participating in the peace talks announced an agreement on April 10, 1998. Despite a much improved security situation in the years since then, full implementation of the resulting Good Friday Agreement has been difficult. On May 8, 2007, however, Northern Ireland's devolved political institutions were restored after an almost five-year suspension following a power-sharing deal between the largest unionist and nationalist parties. This report will be updated as events warrant.

Overview

Since 1969, over 3,200 people have died as a result of political violence in Northern Ireland, which is a part of the United Kingdom. The conflict, which has its origins in the 1921 division of Ireland, has reflected a struggle between different national, cultural, and religious identities.¹ The Protestant majority (53%) in Northern Ireland defines itself as British and largely supports continued incorporation in the UK (unionists). The Catholic minority (44%) considers itself Irish, and many Catholics desire a united Ireland (nationalists). For years, the British and Irish governments sought to facilitate a political settlement. The Good Friday Agreement was reached on April 10, 1998. The Agreement called for devolved government — the transfer of power from London to Belfast — with a Northern Ireland Assembly and Executive Committee in which unionist and nationalist parties would share power. The Agreement also contained provisions on decommissioning (disarmament), policing, human rights, UK security normalization (demilitarization), and the status of prisoners, and recognized that a change in Northern Ireland's status can only come about with the consent of the majority of its people. Additionally, the Agreement created a North-South Ministerial Council and a British-Irish Council. Voters in Northern Ireland and the Republic of Ireland approved the accord in referendums on May 22, 1998. Elections to the Assembly took place on June 25, 1998.

¹ In 1921, the mostly Catholic, southern part of Ireland won independence from Britain. The resulting Republic of Ireland occupies about five-sixths of the island of Ireland; Northern Ireland occupies the remaining one-sixth.

Nevertheless, full implementation of the peace agreement has been difficult. The devolved government was suspended for the fourth time in October 2002 amid a loss of trust and confidence on both sides of the conflict. Unionists were concerned about the IRA's commitment to non-violence and the lack of full nationalist support for policing; meanwhile, nationalists worried about the pace of UK demilitarization, police reforms, and ongoing loyalist paramilitary activity. Efforts to restore the devolved government culminated on March 26, 2007, when the traditionally anti-Agreement Democratic Unionist Party (DUP) agreed to enter into a power-sharing government with Sinn Fein, the IRA's associated political party. The new government began work on May 8, 2007, with DUP leader Ian Paisley as First Minister and Sinn Fein's chief negotiator Martin McGuinness as Deputy First Minister. London and Dublin hope that this deal will entrench the political settlement embodied in the Good Friday Agreement and produce a politically stable devolved government in Northern Ireland.

Devolved Government and Recurrent Crises

1999-2002. For years, instability in Northern Ireland's devolved government was the rule rather than the exception; decommissioning and police reforms were key sticking points. Authority over local affairs was first transferred to the Northern Ireland Assembly and Executive on December 1, 1999, after 27 years of direct rule from London. But on February 11, 2000, London suspended the devolved government because the Assembly's First Minister, then-Ulster Unionist Party (UUP) leader David Trimble, was poised to resign to protest the absence of IRA decommissioning. After intense negotiations involving Trimble and Sinn Fein, the IRA pledged to put its arms "beyond use." The power-sharing institutions were reinstated in June 2000.

For the next twelve months, unionists remained frustrated by the ongoing lack of IRA decommissioning. As a result, Trimble resigned as First Minister on July 1, 2001. Since the Assembly can operate no longer than six weeks without a First Minister or new elections must be called, London suspended the devolved government on August 10 for 24 hours. London feared elections would result in gains for hardliners. The brief suspension reset the clock, giving negotiators another six weeks to try to avert the collapse of Belfast's political institutions. Meanwhile, pressure on the IRA to decommission began to grow following the August 2001 arrests in Colombia of three suspected IRA members on charges of training FARC guerrillas to use explosives, and the September 11 terrorist attacks. According to an Irish diplomat, "President Bush declared war against international terrorism ... If the IRA wanted to hold on to their weapons any longer, the Americans would simply have none of it."² Sinn Fein was facing political isolation and the loss of private U.S. financial support. Negotiations to restore devolution continued. On September 21, 2001, London suspended the Assembly again for 24 hours to buy more time. Finally, on October 23, after Sinn Fein leader Gerry Adams publicly called for IRA decommissioning, the IRA announced that it had put a quantity of weapons "beyond use" to "save the peace process." In response, the UUP decided to rejoin the Executive, and the Assembly reconvened in November 2001.

² As quoted in Kevin Cullen, "Sinn Fein Prods IRA on Disarming," *Boston Globe*, October 23, 2001.

Relative calm prevailed in early 2002. On April 8, 2002, the IRA carried out a second act of decommissioning. Still, worries about the IRA's long-term commitment to the peace process persisted following allegations that the IRA was buying new weapons, updating its "hit list," and was behind the theft of intelligence documents from a Belfast police barracks. On October 4, 2002 police raided Sinn Fein's Assembly offices and arrested four officials as part of an investigation into a suspected IRA spy ring. The UUP and the DUP threatened to withdraw from the government unless Sinn Fein was expelled. With the political process in turmoil, London once again suspended Belfast's devolved government and reinstated direct rule on October 14, 2002.

2003-Present. Following the 2002 suspension of the devolved government, London and Dublin led talks with Northern Ireland's political parties to try to find a way forward. Negotiations largely focused on finding a formula to assure unionists that the IRA was winding down as a paramilitary force and meeting nationalist demands for government stability and more progress in the police, justice, and human rights fields. In October 2003, the IRA announced a third act of decommissioning, but UUP leader Trimble criticized the lack of details about the quantity of arms disposed, and put further progress toward restoring devolution "on hold."

Despite the suspension of the power-sharing institutions, Assembly elections took place in November 2003. The elections resulted in a shift toward perceived hardliners. The DUP — led by the Reverend Ian Paisley — overtook the UUP as the dominant unionist party. Sinn Fein surpassed the more moderate Social Democratic and Labor Party (SDLP) to become the largest nationalist party. Immediately after the elections, the DUP asserted that it would not enter into government with Sinn Fein until the IRA disarmed and disbanded; the DUP also refused to talk directly to Sinn Fein. Most analysts predicted that the election results would make restoring devolution more difficult.

Negotiations continued but remained stalemated for much of 2004. Efforts to restore devolution were further complicated by a December 2004 bank robbery in Belfast, which police believed was carried out by the IRA, and the January 2005 murder of Belfast man, Robert McCartney, during a bar brawl involving IRA members. These incidents increased pressure on the IRA and Sinn Fein to also address the issue of IRA criminality. On April 6, 2005, Gerry Adams effectively called on the IRA to abandon violence and pursue politics as an "alternative" to "armed struggle."

On July 28, 2005, the IRA ordered an end to its armed campaign. It instructed all members to pursue objectives through "exclusively peaceful means" and to "not engage in any other activities whatsoever." All IRA units were ordered to "dump arms." The British, Irish, and U.S. governments welcomed the IRA's statement but cautioned that words must be followed by deeds. Although many analysts asserted that the IRA's statement was the least ambiguous one ever, unionists were wary, noting that it did not explicitly address the issue of IRA criminality or whether the IRA would disband. The DUP and other unionists also wanted Sinn Fein to support Northern Ireland's new police service (see below). On September 26, 2005, Northern Ireland's Independent International Commission on Decommissioning (IICD) announced that the IRA had put all of its arms beyond use, asserting that the IRA weaponry dismantled or made inoperable matched estimates provided by the security forces. On February 1, 2006, the International Monitoring Commission (IMC), which monitors paramilitary ceasefires and political party compliance with the peace agreement, asserted that the IRA seemed to be

moving in the right direction. However, unionists remained skeptical and the DUP continued to resist sharing power with Sinn Fein.

In an attempt to break the stalemate, London recalled the Northern Ireland Assembly on May 15, 2006; the Assembly was permitted to debate policy matters but was not given the power to make laws. UK and Irish officials had hoped that by recalling the Assembly, even in such a “shadow” form, confidence would build between the opposing parties and in the political process. When this attempt ultimately failed, London and Dublin gave the parties until November 24, 2006, to form an Executive or new British-Irish “partnership arrangements” would be implemented to effectively govern Northern Ireland. The exact form of such partnership arrangements was left unclear, but analysts viewed this prospect as a veiled threat to unionists to reach a deal or risk ceding greater authority over the affairs of Northern Ireland to Dublin.³

With no real progress in the negotiations by mid-September 2006, UK Prime Minister Tony Blair and Irish Prime Minister Bertie Ahern announced an all-party meeting in Scotland in an attempt to hammer out a deal. On October 13, Blair and Ahern put forth a road map, known as the “St. Andrews Agreement,” intended to break the political stalemate. It called for negotiations between November 2006 and March 2007 on forming a new permanent government; during this time, the DUP would agree to share power with Sinn Fein, and Sinn Fein would agree to support the police service and join the Policing Board. The St. Andrews Agreement also included some changes to the operation of the power-sharing institutions and provisions on government stability and human rights; in addition, to meet nationalist demands, it called for the devolution of policing and justice powers from London to Belfast by 2008. It set March 7, 2007, as the date for new Assembly elections, and March 26 as the date for London to rescind direct rule and restore Northern Ireland’s devolved government. Blair and Ahern warned that failure to establish an Executive by March 26 would result in the dissolution of the Assembly and new British-Irish “partnership arrangements” to govern Northern Ireland.⁴

Analysts contended that the biggest problem was the lack of trust between the DUP and Sinn Fein. The DUP wanted Sinn Fein to accept Northern Ireland’s new police service, the courts, and the rule of law before agreeing to shared government. Meanwhile, Sinn Fein wanted the shared government to sit before accepting policing because it feared that, otherwise, the DUP would raise additional issues regarding the IRA before agreeing to share power. In January 2007, Sinn Fein members voted to support Northern Ireland’s police and the criminal justice system in the context of the reestablishment of the political institutions and confirmation that policing and justice powers would be transferred, as called for in the St. Andrews Agreement. Many experts viewed Sinn Fein’s resolution as historic, given the IRA’s traditional view of the police as a legitimate target.⁵

On March 7, Northern Ireland voters went to the polls. Once again, the DUP and Sinn Fein emerged as the largest unionist and nationalist parties. Both the DUP and Sinn

³ Brian Lavery, “Blair and Ahern Warn Ulster: End the Standoff by Fall Deadline,” *New York Times*, April 7, 2006.

⁴ For the text of the Agreement, see [http://www.nio.gov.uk/st_andrews_agreement.pdf].

⁵ “Sinn Fein Votes To Support Police,” BBC News, January 28, 2007.

Fein interpreted these election results, in which each saw off challenges from internal dissenters opposed to the St. Andrews Agreement, as providing a mandate to work toward forming a power-sharing government. Analysts speculated that in light of Sinn Fein's commitment to policing, and perhaps to secure his own legacy, Paisley was finally ready to enter into government with Sinn Fein.

On March 26, 2007, Paisley and Adams met for the first time and announced a deal to enter into a power-sharing government on May 8, 2007. London and Dublin agreed to accept the six-week delay in restoring Northern Ireland's devolved government given that the two parties were able to reach agreement themselves. The DUP had pressed for the delay in order to "raise the level of confidence in the [unionist] community," especially in regard to Sinn Fein's pledge to support policing. Analysts contend that the image of Paisley and Adams sitting at the same table and the statements of both pledging to work toward a better future for "all" the people of Northern Ireland were unprecedented. On May 8, 2007, Paisley and Sinn Fein's chief negotiator Martin McGuinness were sworn in as First and Deputy First Minister respectively, and the power-sharing Assembly and Executive began work. London and Dublin hope that the power-sharing agreement between the DUP and Sinn Fein will usher in a new era in Northern Ireland politics, producing a stable and permanent devolved government. Many experts believe that unlike past efforts, this deal will stick, given that it was reached by the DUP and Sinn Fein, viewed as the two most polarized forces in Northern Ireland politics.⁶

Implementing Police Reforms

The Royal Ulster Constabulary (RUC)—Northern Ireland's former, 92% Protestant police force—was long viewed by Catholics as an enforcer of Protestant domination. Human rights organizations accused the RUC of brutality and collusion with loyalist paramilitary groups. Defenders of the RUC pointed to its tradition of loyalty and discipline and its record in fighting terrorism. The Good Friday Agreement called for an independent commission to help "ensure policing arrangements, including composition, recruitment, training, culture, ethos and symbols, are such that ... Northern Ireland has a police service that can enjoy widespread support from ... the community as a whole." In June 1998, Prime Minister Blair appointed Chris Patten to head this commission. In September 1999, the Patten Commission released a report with 175 recommendations. It proposed a new name for the RUC, a new badge, and new symbols free of the British or Irish states. Other key measures included reducing the size of the force from 11,400 to 7,500, and increasing the proportion of Catholic officers. Unionists responded negatively, but nationalists were mostly positive.

In May 2000, the Blair government introduced the Police Bill in the House of Commons. Nationalists were critical, arguing that Patten's proposals had been gutted. London responded that amendments would deal with human rights training, promoting 50-50 recruitment of Catholics and Protestants, and oversight responsibilities. The Police Bill became law on November 23, 2000. While some nationalist concerns had been addressed, Sinn Fein and the SDLP asserted that the reforms did not go far enough. In March 2001, recruiting began for the future Police Service of Northern Ireland (PSNI).

⁶ Frank Millar, "Paisley Reaches Out and Grasps Cherished Prize," *Irish Times*, March 27, 2007; "NI Politics Moves Away from Edge," BBC News, May 8, 2007.

To help ensure nationalist support, London proposed further concessions in July 2001, which included halving the anti-terrorist “Special Branch.”

In August 2001, the SDLP broke with Sinn Fein and accepted the British government’s additional concessions on policing; the SDLP (along with the UUP and DUP) agreed to nominate representatives to the Policing Board, a democratic oversight body. On November 4, 2001, the Policing Board came into being. That same day, the RUC was renamed the PSNI, and the first class of recruits drawn 50-50 from both Catholic and Protestant communities began their training. Some say that Sinn Fein’s absence from the Policing Board discouraged more Catholics from joining the PSNI.

In November 2004, Sinn Fein leader Gerry Adams met with PSNI chief Hugh Orde for the first time. However, Sinn Fein maintained that its acceptance of the PSNI and the Policing Board hinged on a deal to revive the devolved government and the transfer of policing and justice powers from London to a restored Assembly and Executive. As noted above, in January 2007, Sinn Fein members voted to support the police and join the Policing Board in the context of a reconstituted Assembly and Executive. Sinn Fein members are expected to take their places on the Policing Board following the restoration of the devolved government on May 8, 2007.

U.S. Policy

The Bush Administration views the Good Friday Agreement as the best framework for a lasting peace in Northern Ireland. U.S. officials welcomed the March 2007 deal between Paisley and Adams; President Bush had called both leaders to urge them to “take the final steps” to restore devolution. The United States had long maintained that the IRA and other paramilitaries must “go out of business” and that Sinn Fein should join the Policing Board. Many Members of Congress actively support the peace process. Encouraged by progress on police reforms, several Members prompted the Administration in December 2001 to lift a ban on contacts between the FBI and the new PSNI. Congress had initiated this prohibition in 1999 because of the former RUC’s human rights record. Hearings in the 109th Congress focused on the peace process, policing reforms, and the status of public inquiries into several murders in Northern Ireland, including the 1989 slaying of Belfast attorney Patrick Finucane, in which collusion between the security forces and paramilitary groups is suspected. The United States is an important source of investment in Northern Ireland and has provided aid through the International Fund for Ireland (IFI) since 1986.

Recent Legislation

H.Con.Res. 20 (Smith; passed House, January 30, 2007; passed Senate, March 15, 2007) calls on the UK government to establish a full, independent, and public inquiry into the 1989 murder of Northern Ireland attorney Patrick Finucane.

H.Res. 222 (McCarthy; passed March 13, 2007) expresses support for the 1998 Good Friday Agreement as the blueprint for lasting peace in Northern Ireland.

P.L. 110-5 (February 15, 2007) appropriated \$13 million for the International Fund for Ireland as part of the FY2007 Continuing Appropriations Resolution. crsphgw