

# CRS Report for Congress

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## Northern Ireland: The Peace Process

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### Summary

For years, the British and Irish governments sought to facilitate a peaceful settlement to the conflict in Northern Ireland. After many ups and downs, the two governments and the eight parties participating in peace talks announced an agreement on April 10, 1998. However, the implementation of the resulting Good Friday Agreement continues to be difficult. 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.<sup>1</sup> 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 finally reached on April 10, 1998. It calls for devolved government — the transfer of power from London to Belfast — and establishes a Northern Ireland Assembly and Executive Committee in which unionists and nationalists share power, a North-South Ministerial Council, and a British-Irish Council. It also contains provisions on decommissioning (disarmament), policing, human rights, and prisoners. The agreement recognizes that a change in the status of Northern Ireland can only come about with the consent of the majority of its people. Voters in Northern Ireland and the Republic of Ireland approved the accord in referendums on May 22, 1998. Elections to the new Assembly took place on June 25, 1998.

Nonetheless, implementation of the peace agreement has been difficult, and sporadic violence from dissident groups continues. Instability in the devolved government has

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<sup>1</sup> 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. For more background, see CRS Report RL30368, *Northern Ireland: Implementation of the Peace Agreement during the 106<sup>th</sup> Congress*.

been the rule rather than the exception, with decommissioning and police reforms key sticking points. Unionists remain concerned about the IRA's commitment to non-violence, while nationalists worry about the pace of demilitarization, police reforms, and loyalist paramilitary activity.

## **Decommissioning, Devolved Government, and Recurrent Crises**

After 27 years of direct rule from London, authority over local affairs was transferred to the Northern Ireland Assembly and Executive on December 1, 1999, nearly 18 months after the Assembly elections and only after unionists dropped demands for IRA decommissioning prior to Sinn Fein representatives taking office. On February 11, 2000, however, London suspended the devolved government because the Assembly's First Minister, Ulster Unionist Party (UUP) leader David Trimble, was poised to resign to protest the absence of IRA decommissioning. UK officials worried that Trimble would have been replaced by someone less supportive of, if not opposed to, the peace agreement. In May 2000, the UUP voted to reinstate the power-sharing institutions following an IRA pledge to put its arms "beyond use," and the Assembly reconvened in June 2000.

Unionists remained frustrated, however, by the IRA's lack of decommissioning. The IRA asserted that progress depended on London fully honoring its demilitarization and policing commitments. The June 7, 2001 general and local elections in Northern Ireland saw the more extremist Democratic Unionist Party (DUP) and Sinn Fein gaining over the UUP and the moderate nationalist Social Democratic and Labor Party (SDLP). With no concrete steps by the IRA to disarm, Trimble resigned as First Minister on July 1, 2001. London suspended the devolved government on August 10 for 24 hours to avoid calling new elections, which it feared would result in additional gains for hardliners. The peace agreement stipulates that the Assembly can go no longer than six weeks without a First Minister, or new elections must be called. The brief suspension reset the clock, giving negotiators another six weeks to try to avert the collapse of Belfast's political institutions.

On August 14, 2001, Colombian authorities arrested three suspected IRA members on charges of training FARC guerrillas to use explosives. The FARC is a 15,000-strong force that conducts attacks against the Colombian government and U.S. interests. Given U.S. efforts to help counter the FARC, Washington was troubled by the IRA's alleged ties to this group. But after the September 11 terrorist attacks, "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," according to an Irish diplomat.<sup>2</sup> Sinn Fein was facing political isolation and the loss of private American financial support.

Negotiations among Sinn Fein, London, and Dublin continued. On September 21, 2001, London suspended the Assembly again for 24 hours to buy more time. Finally, on October 23, following a public call for IRA decommissioning by Sinn Fein, the IRA announced that it reportedly had put a quantity of weapons "beyond use" to "save the peace process." In response, the UUP decided to rejoin the power-sharing executive.

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<sup>2</sup> As quoted in Kevin Cullen, "Sinn Fein Prods IRA on Disarming," *Boston Globe*, Oct. 23, 2001. In April 2004, after a lengthy trial, a Colombian judge found the IRA suspects not guilty on the charges of training the FARC, but they were convicted for carrying false passports and sentenced to time served. The three remain in Colombia pending the government's appeal.

London began dismantling several more army watchtowers and promised to devise an amnesty arrangement for nationalist fugitives. On November 5, David Trimble was reelected First Minister; SDLP leader Mark Durkan was reelected Deputy First Minister.

Relative calm prevailed in early 2002. By March, the British had closed seven more military bases, bringing the total number vacated since 1998 to 48 out of 105. On April 8, 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 police barracks in Belfast. May 2002 brought an upsurge in sectarian violence. In June, Trimble threatened to resign as First Minister again. In July, UK Prime Minister Tony Blair called for all paramilitary groups to "stand down" and threatened future sanctions against associated political parties. On October 4, police raided Sinn Fein's Assembly offices as part of an investigation into a suspected IRA spy ring and arrested four Sinn Fein officials. Unionists were outraged, viewing the charges as proof that the IRA was not committed to the democratic process. Both the UUP and the DUP threatened to withdraw from the government unless Sinn Fein was expelled.

On October 14, 2002, London suspended Belfast's devolved government and reinstated direct rule. London judged that expelling Sinn Fein would have gutted the peace accord, while new elections could further polarize the situation. On October 17, Prime Minister Blair stated, "we cannot carry on with the IRA half in, half out" of the peace process. On October 19, the IRA responded that it did not pose a threat. Sinn Fein rejected all of the charges against its members, and claimed that the raids were intended to shift blame for the devolved government's collapse away from the unionists.

Since the suspension, London and Dublin have led talks with Northern Ireland's political parties to try to find a way forward. Both Prime Minister Blair and Irish Prime Minister Bertie Ahern emphasize that "acts of completion" are necessary. In March 2003, Blair postponed the Assembly elections from May 1 until May 29 to give the parties more time to negotiate. On April 13, the IRA publicly reaffirmed its commitment to the peace process. On April 23, Prime Minister Blair asserted that the IRA still needed to answer three questions: "Does the IRA intend to end all activities, including targeting and weapons procurement? Does the IRA intend to put all its arms beyond use? Does the IRA's position mean a final closure of the conflict?" On April 27, Sinn Fein leader Gerry Adams said that the IRA had indicated "peaceful intent" and that "there should be no activities inconsistent with this." On April 30, Adams sought to further ease unionist concerns, stating that the IRA's activities "will be consistent with its resolve to see the complete and final closure of the conflict." London and Dublin asserted, however, that Adams' statements were not adequate guarantees.

On May 1, London postponed Northern Ireland's elections without setting a new date. At the same time, London and Dublin published a "Joint Declaration," which called for a further drawdown of UK forces, devolution of policing and justice, and an end to paramilitarism and sectarian violence; they also released two other papers outlining a deal for "on-the-run" fugitives, and an independent body to monitor paramilitary ceasefires and political party compliance with the peace accord. To keep up the political momentum, Blair and Ahern sought to implement some parts of the Joint Declaration ahead of a final deal; demolition of two more army watchtowers began on May 9, and steps were taken to establish the Independent Monitoring Commission (IMC).

By September 2003, negotiations were focused on assuring unionists that the IRA was winding down as a paramilitary force and meeting nationalists' demands for a firm date for Assembly elections. On October 21, 2003, London announced that Assembly elections would be held on November 26. Within hours, Gerry Adams declared Sinn Fein's "total and absolute commitment to exclusively democratic and peaceful means" and called for all guns to be "taken out of Irish society." Next, the IRA asserted that Adams "accurately reflects our position" and announced a third act of decommissioning. But, Trimble criticized the lack of details about the type and quantity of arms disposed, and put further progress "on hold." On October 28, London announced that the election would go ahead regardless and promised post-election talks on devolution.

On November 26, 2003, voters in Northern Ireland went to the polls. The largely anti-agreement DUP — led by the Reverend Ian Paisley — secured 30 Assembly seats to the UUP's 27, thereby overtaking the UUP as the dominant unionist party. On the nationalist side, Sinn Fein, with 24 seats, surpassed the more moderate SDLP by six seats.<sup>3</sup> On January 5, 2004, anti-agreement UUP rebel Jeffrey Donaldson defected to the DUP, along with two other UUP colleagues, increasing the number of DUP Assembly seats to 33 and dropping the UUP to 24. The DUP asserted that it would not enter into a power-sharing government with Sinn Fein until the IRA disarms and disbands.

Most analysts predicted that the election results would make restoring devolution soon difficult. Negotiations in the spring and summer of 2004 continued, but remained stalemated. In September 2004, Prime Ministers Blair and Ahern led intensive talks with the parties. Although they concluded without a deal, press reports indicated progress on paramilitary activity, decommissioning, and policing. London and Dublin believed that the IRA was ready to guarantee an end to paramilitary activity and the completion of decommissioning by the end of the year. A key sticking point reportedly was DUP demands for changes to the peace agreement that would make ministers in Northern Ireland's Executive subject to greater Assembly control; nationalists feared this would essentially give the unionist parties a veto over ministerial initiatives. The DUP also sought some changes to the workings of the North-South Ministerial Council, and to the election procedures for the First and Deputy First Ministers.<sup>4</sup>

On November 17, 2004, London and Dublin presented a package of compromise proposals to Sinn Fein and the DUP to help break the deadlock. The transparency of weapons decommissioning soon re-emerged as a major stumbling block. The IRA reportedly agreed to allow one Protestant and one Catholic clergyman to witness the decommissioning of its weapons, but the DUP called for photographic evidence to be taken and published. Sinn Fein and the IRA balked at these demands, viewing them as an attempt to humiliate the IRA. Some observers suggest that Paisley's statements calling on the IRA to "repent publicly" contributed to the IRA's resistance to photographic proof; the IRA claims that Paisley's unrealistic demands were made in order to give the DUP an excuse for rejecting the deal. On December 8, Prime Ministers Blair and Ahern published their proposals for a comprehensive agreement in an effort to gain public support. They stressed that considerable progress had been made toward restoring devolution, that the IRA was committed to ending paramilitarism, and that consensus had been reached on

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<sup>3</sup> For more information, see CRS Report RS21692, *Northern Ireland: The 2003 Election*.

<sup>4</sup> "NI Talks End Without Deal," BBC News, Sept. 18, 2004.

both institutional and policing issues. London and Dublin still hope to close the gap on the transparency issue soon, but some analysts suggest that negotiations may remain stalemated until after the UK general election, expected in May 2005.<sup>5</sup>

## 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. The peace 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). 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 revisions; the SDLP agreed to nominate representatives to the Policing Board, a democratic oversight body. Despite Sinn Fein's continued opposition, the Policing Board came into being on November 4, 2001. That same day, the RUC was renamed the PSNI, and the first class of recruits drawn 50-50 from both communities began their training. Sinn Fein maintains that the changes are largely cosmetic. Some say Sinn Fein's absence from the Policing Board discourages Catholics from joining the PSNI. To assuage nationalist concerns further, London outlined plans in November 2002 for new policing legislation to provide more public accountability and eventually allow former paramilitaries to sit on Northern Ireland's new District Policing Partnerships (DPPs), which seek to foster greater local involvement in policing. Paramilitary participation would be conditional on other “acts of completion.” DPPs came into being in March 2003. The Police (Northern Ireland) Act 2003 received Royal Assent in April 2003. In late November 2004, Sinn Fein leader Gerry Adams met with PSNI chief Hugh Orde for the first time; most observers viewed this meeting as a positive step forward in the context of the search for a comprehensive deal to restore devolution.

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<sup>5</sup> For the text of the December 2004 Blair-Ahern proposals, see the website of the Northern Ireland Office [<http://www.nio.gov.uk>]. Also see Gerry Moriarty and Mark Brennock, “Taoiseach and Blair Resigned to Collapse of Peace Plan,” *Irish Times*, Dec. 8, 2004.

## 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 assert that trust and confidence can only be rebuilt if the IRA and other paramilitaries “go out of business.” They also stress that Sinn Fein must join the Policing Board. On April 7, 2003, President Bush met Prime Ministers Blair and Ahern in Belfast and broadly endorsed the proposals in the British-Irish Joint Declaration. A U.S. representative sits on the newly-created independent monitoring body. The top U.S. advisor for Northern Ireland, Dr. Mitchell Reiss, has been closely monitoring the ongoing negotiations. In late November 2004, President Bush phoned the leaders of both the DUP and Sinn Fein to express his support for the comprehensive agreement proposed by London and Dublin to restore devolution. The United States provides aid through the International Fund for Ireland (\$18.5 million in FY2005) and is an important source of investment. Members of Congress actively support the peace process. Encouraged by the progress on police reforms, 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. Like the Administration, some in Congress are also concerned about the IRA’s alleged ties to the FARC. In April 2002, the House International Relations Committee held a hearing to investigate this issue.<sup>6</sup>

## Recent Legislation

**H.R. 4818** appropriates \$18.5 million for the International Fund for Ireland as part of the FY2005 foreign operations spending measure in the Consolidated Appropriations Act 2005, as agreed in the House-Senate conference report on November 20, 2004. Introduced by Representative Kolbe, July 13, 2004.

**H.R. 2655** amends and extends the Irish Peace Process Cultural and Training Program Act (IPPCTPA) of 1998 through FY2008 to provide job and conflict resolution training to persons from Northern Ireland and the Republic of Ireland. Introduced by Representative Walsh, June 26, 2003; passed House, October 7, 2003; passed Senate, November 19, 2004.

**H.Res. 367** urges Assembly elections in Northern Ireland to be held by the end of 2003. Introduced by Representative Bereuter, September 15, 2003.

**P.L. 107-228** (September 30, 2002) authorizes appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes. Section 701 sets conditions for FBI training programs for PSNI members, and requires the President to report on all decommissioning acts by the IRA and other groups and the status of several high-profile murder investigations. Introduced as H.R. 1646 by Representative Hyde, April 27, 2001.

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<sup>6</sup> See House International Relations Committee, “International Global Terrorism: Its Links with Illicit Drugs as Illustrated by the IRA and Other Groups in Colombia,” 107<sup>th</sup> Cong., 2<sup>nd</sup> sess., Serial No. 107-87, Apr. 24, 2002.