

# 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 have sought to facilitate a peaceful settlement to the conflict in Northern Ireland. After many ups and downs, the two governments and the parties participating in the peace talks announced an agreement on April 10, 1998. The implementation of the resulting Good Friday Agreement continues to be difficult. A political stalemate in Northern Ireland since 2002 has halted the peace process and forced London to suspend the devolved government and to resume governance of the province. British and Irish leaders have set a November 24, 2006, deadline to revive talks on governance in Northern Ireland. This report will be updated as events warrant. See also CRS Report RS21692, *Northern Ireland: The 2003 Election*, by Kristin Archick.

### 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 reached on April 10, 1998. The Agreement established a devolved government — the transfer of power from London to Belfast — with an Assembly and Executive Committee in which unionists (Ulster Unionist Party, UUP, and the Democratic Unionist Party, DUP) and nationalists (Socialist Democratic Labor Party, SDLP and Sinn Fein) share power. Additionally, the Agreement created a North-South Ministerial Council, and a British-Irish Council. It also contained provisions on decommissioning (disarmament), policing, human rights, UK security normalization (demilitarization), and the status of prisoners, and recognizes that a change in Northern Ireland's status can only come about with the consent of the majority of its people. Voters

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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.

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.

In October 2002 Northern Ireland police raided Sinn Fein's Assembly offices and arrested four officials as part of an investigation into a suspected IRA spy ring. Consequently, on October 14, 2002, London suspended Belfast's devolved government and reinstated direct rule. Since then, the political situation has remained stalemated. Unionists remain concerned about the IRA's commitment to non-violence and Sinn Fein's refusal to join the Policing Board. Nationalists worry about the pace of UK demilitarization, police reforms, and the DUP's refusal to share power with Sinn Fein.

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

Instability in Northern Ireland's devolved government has been the rule rather than the exception; decommissioning has been a key sticking point. 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's associated political party, an IRA pledge to put its arms "beyond use" was issued. The power-sharing institutions were then 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 to avoid calling new elections. 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. The September 11 terrorist attacks added to the pressure. 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."<sup>2</sup> Sinn Fein, was facing political isolation and the loss of private U.S. financial support.

Negotiations to restore devolution continued throughout the summer. 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. On

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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, the IRA suspects were found not guilty on the charges of training the FARC, but this verdict was overturned in December 2004 and the three suspects fled Colombia. In August 2005, they surfaced in the Republic of Ireland. Also 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.

November 5, David Trimble was reelected First Minister; Mark Durkan, leader of the moderate nationalist Social Democratic and Labor Party (SDLP), was reelected Deputy First Minister. Relative calm prevailed in early 2002. 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 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 harder line Democratic Unionist Party (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. Since then, London and Dublin have led talks with Northern Ireland's political parties to try to find a way forward. Negotiations have largely focused on finding a formula to assure unionists that the IRA was winding down as a paramilitary force, meeting nationalist demands for government stability, and achieving more progress in the fields of policing, justice, and human rights. 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 power-sharing at the executive level, Assembly elections took place in November 2003. The elections resulted in a shift toward the perceived hardliners, the DUP led by the Reverend Ian Paisley and Sinn Fein led by Gerry Adams. Immediately after the elections, the DUP asserted that it would not enter into government with Sinn Fein until the IRA disarmed and disbanded. 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, 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. In response to the IRA announcement, and despite unionist opposition, London began dismantling security posts along the Northern Ireland border, and announced plans to cut the number of British troops in Northern Ireland to 5,000 by August 2007. 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.<sup>3</sup>

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<sup>3</sup> "A Long Time Coming," *Irish Times*, July 29, 2005. For the text of the IRA's July 28, 2005 statement, see BBC News [[http://news.bbc.co.uk/1/hi/northern\\_ireland/4724599.stm](http://news.bbc.co.uk/1/hi/northern_ireland/4724599.stm)].

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. The DUP and other unionists have remained skeptical, but London and Dublin appear to believe that the IRA as an organization was now incapable of carrying out a major attack or destabilizing Northern Ireland politics. On February 1, 2006, the International Monitoring Commission (IMC), which monitors paramilitary ceasefires and political party compliance with the peace agreement, issued a status report. The IMC asserted that the IRA seemed to be moving in the right direction. The British and Irish governments responded positively to the IMC's report, maintaining that it demonstrated "enough progress" to make the "process of talking meaningful."<sup>4</sup> However, despite the IICD certification that the IRA has put its weapons "beyond use" and the IRA statement abandoning sectarian violence, DUP leaders refused to govern alongside Sinn Fein until the DUP was convinced that the IRA had completely disarmed and disbanded and until Sinn Fein agreed to participate on the Police Board for Northern Ireland.

In an attempt to break the stalemate, on April 6, 2006, London and Dublin announced that the Northern Ireland Assembly would be recalled in mid-May and given an initial six weeks to appoint ministers to the Executive, thereby restoring the devolved government. The Northern Ireland Assembly reconvened on May 15, 2006. The Assembly was permitted to debate policy matters but was not given the power to make laws. London and Dublin 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 reach an agreement on an Executive or a new British-Irish governing scheme would be implemented to effectively govern Northern Ireland. The exact form of such partnership arrangements remains unclear, but some analysts view this prospect as a veiled threat to unionists to reach a deal to restore devolution or risk ceding greater authority over the affairs of Northern Ireland to Dublin.<sup>5</sup>

Throughout the summer both London and Dublin insisted that the November 24 deadline was firm despite the warning from the DUP that the deadline would not be met. With no real progress in the negotiations achieved by mid-September, Prime Ministers Blair and Ahern announced a plan to convene a meeting of all of the parties in Scotland in October in an attempt to hammer out a deal. Neither the DUP nor the UUP feel such talks outside of Belfast would accomplish any more than what had taken place thus far, but London and Dublin continue to insist the meetings take place.

Many analysts believe that the immediate prospects for reestablishing an Executive are dim. The DUP maintains that the IRA has not lived up to its commitments on

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<sup>4</sup> "IRA Arms: What Next for NI Politics?," BBC News, September 26, 2005; "Governments Welcome Positive Report on IRA," *Irish Times*, Feb. 2, 2006.

<sup>5</sup> Brian Lavery, "Blair and Ahern Warn Ulster: End the Standoff by Fall Deadline," *New York Times*, Apr. 7, 2006. For the text of the Blair-Ahern statement on Apr. 6, 2006, see BBC News [[http://news.bbc.co.uk/2/hi/uk\\_news/politics/4883600.stm](http://news.bbc.co.uk/2/hi/uk_news/politics/4883600.stm)].

disarmament and criminal activity and must disband and that Sinn Fein must join the Policing Board. Sinn Fein insists that DUP first agrees to return to a power-sharing government. Many experts believe that no further progress can be expected unless Reverend Paisley decides that he and his DUP leadership can sit in the same room and talk to Sinn Fein directly or that Sinn Fein agrees to join the Police Board.<sup>6</sup> The members of the Assembly have been told that if there is no agreement to restore the power-sharing government by November 2006, the Assembly will be disbanded.

## 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 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). 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 over the proposal to create a democratic oversight body known as the Policing Board and along with the UUP and DUP accepted the British revisions and agreed to nominate representatives to the Board. 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. Sinn Fein continues to oppose the Board, and many say that Sinn Fein’s absence from the Policing Board has discouraged more 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.

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<sup>6</sup> “Paisley Nomination Smart Tactics,” BBC News, May 22, 2006; “Hain Plays Down Failure To Elect First Minister,” *Irish Times*, May 23, 2006.

In November 2004, Sinn Fein leader Gerry Adams met with PSNI chief Hugh Orde for the first time. However, many experts believe that Sinn Fein will not join the Policing Board until there is a deal to revive the devolved government. Sinn Fein also wants to see the transfer of policing and justice powers from London to a restored Assembly and Executive. In February 2006, London introduced a new bill in the UK Parliament to pave the way for such a transfer. Sinn Fein views the proposed legislation as a first step but maintains that the “devil is in the details.”<sup>7</sup> In September 2006, reports circulated that Sinn Fein leader Gerry Adams had signaled that Sinn Fein may be willing to cooperate with police on the ground but would not join the Board until the devolved government was back in full operation. This idea has been rejected by the DUP and the SDLP.

## 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” and that Sinn Fein must join the Policing Board. The Bush Administration reacted positively to the IRA’s July 2005 statement that it was ending its armed struggle and called the announcement that the IRA had fully decommissioned a “critical first step” in translating its words into action. Most Members of Congress actively support the peace process. Encouraged by the 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. Recent hearings in the 109<sup>th</sup> Congress have focused on the peace process, policing reforms, and the status of public inquiries into several high-profile murders in Northern Ireland. The U.S. has provided aid through the International Fund for Ireland since 1986. For FY2007, the House of Representatives added \$10.8 million to the Foreign Operations Appropriations bill for the IFI.

## Recent Legislation

**P.L. 109-102** (Nov. 14, 2005) appropriated \$13.5 million for the International Fund for Ireland as part of the FY2006 foreign operations spending measure.

**H.R. 2601** authorized Department of State appropriations for FY2006-FY2007, including \$100,000 per year for training for the Office of the Police Ombudsman for Northern Ireland, and \$20 million per year for the International Fund for Ireland. Introduced by Representative Smith, May 24, 2005; passed House, July 20, 2005.

**H.Res. 744** (April 4, 2006) expresses support for the 1998 Good Friday Agreement as the blueprint for lasting peace in Northern Ireland and for ongoing police reforms. Introduced by Representative Hyde, March 29, 2006.

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<sup>7</sup> “MPs To See Devolved Policing Bill Today,” *Irish Times*, Feb. 16, 2006.