

Northern Ireland: The Peace Process

Kristin Archick

Specialist in European Affairs

March 11, 2015

Congressional Research Service

7-5700

www.crs.gov

RS21333

Summary

Between 1969 and 1999, almost 3,500 people died as a result of political violence in Northern Ireland, which is a part of the United Kingdom (UK). The conflict, which has its origins in the 1921 division of Ireland and is often referred to as “the Troubles,” has reflected a struggle between different national, cultural, and religious identities. Protestants in Northern Ireland (48%) largely define themselves as British and support continued incorporation in the UK (*unionists*). Most Catholics in Northern Ireland (45%) consider themselves Irish, and many desire a united Ireland (*nationalists*).

For years, the British and Irish governments sought to facilitate a political settlement. 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. The resulting Good Friday Agreement (also known as the Belfast 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) of paramilitary weapons, policing, human rights, UK security normalization (demilitarization), and the status of prisoners.

Despite a much improved security situation in the years since then, full implementation of the Good Friday Agreement has been challenging. For years, instability in Northern Ireland’s devolved government was the rule rather than the exception; decommissioning and police reforms were key sticking points. Between 1999 and 2002, the devolved government was suspended several times, with the suspension that began in October 2002 persisting for almost five years amid a loss of trust and confidence on both sides of the conflict.

In May 2007, Northern Ireland’s devolved political institutions were restored following a power-sharing deal between the hardline Democratic Unionist Party (DUP) and Sinn Féin, the associated political party of the Irish Republican Army (IRA). The DUP and Sinn Féin are the largest unionist and nationalist parties, respectively, in Northern Ireland and have long been viewed as the two most polarized forces in Northern Ireland politics. To date, this power-sharing deal has held, and the devolved government has survived. After protracted negotiations, the DUP and Sinn Féin reached an agreement in 2010 to resolve the outstanding and controversial issue of devolving police and justice affairs from London to Belfast.

Although many analysts view the implementation of the most important aspects of the Good Friday Agreement as having been completed, tensions remain within the devolved government and between the unionist and nationalist communities. Addressing sectarian strife, fully grappling with Northern Ireland’s legacy of violence, curbing remaining dissident activity, and fostering economic development remain ongoing challenges. Several events in 2014 and early 2015—including a crisis in the devolved government over balancing the budget and implementing welfare reforms—have renewed concerns about the stability of the devolved government.

Successive U.S. administrations and many Members of Congress have actively supported the Northern Ireland peace process. For decades, the United States provided development aid through the International Fund for Ireland (IFI). In recent years, congressional hearings have focused on the peace process, police reforms, and the status of public inquiries into several murders in Northern Ireland in which collusion between the security forces and paramilitary groups is suspected. Such issues may continue to be of interest in the 114th Congress.

Contents

Background.....	1
Devolved Government and Recurrent Crises	3
1999-2002: Instability in the Devolved Government	3
2003-2007: The Struggle to Restore Devolution.....	5
2008-2010: The Transfer of Policing and Justice Powers	7
Implementing Police Reforms	9
Security Normalization.....	11
Recent Events and Ongoing Challenges.....	11
Sectarian Sticking Points: Parading, Protests, and the Use of Flags and Emblems.....	14
Dealing with the Past.....	16
Dissident Activity	17
Economic Issues	18
U.S. Policy.....	19
International Fund for Ireland.....	20
Recent Legislation	22

Figures

Figure 1. Map of Northern Ireland.....	2
--	---

Contacts

Author Contact Information.....	23
---------------------------------	----

Background

Between 1969 and 1999, almost 3,500 people died as a result of political violence in Northern Ireland, which is a part of the United Kingdom (UK). The conflict, which has its origins in the 1921 division of Ireland and is often referred to as “the Troubles,” has reflected a struggle between different national, cultural, and religious identities.¹ Protestants in Northern Ireland (48%) largely define themselves as British and support continued incorporation in the UK (*unionists*). Catholics in Northern Ireland (45%) consider themselves Irish, and many Catholics desire a united Ireland (*nationalists*). More militant unionists are often termed *loyalists*, while more militant nationalists are referred to as *republicans*; in the past, loyalists and republicans have been willing to use force to achieve their goals.²

The latest version of “the Troubles” in Northern Ireland was sparked in late 1968, when a civil rights movement was launched mostly by Catholics, who had long faced discrimination in areas such as electoral rights, housing, and employment. This civil rights movement was met with violence by extreme unionists and the police, which in turn prompted armed action by nationalists and republicans. Increasing chaos and escalating violence led the UK government to deploy the British Army on the streets of Northern Ireland in 1969 and to impose direct rule from London in 1972 (between 1920 and 1972, Northern Ireland had its own regional government at Stormont, outside Belfast).

For years, the British and Irish governments sought to facilitate a political 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. The resulting Good Friday Agreement (also known as the Belfast 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.³ To ensure that neither unionists nor nationalists could dominate the 108-member Assembly, the agreement specified that “key decisions” must receive cross-community support. The Executive Committee would be composed of a first minister, deputy first minister, and up to 10 ministers with departmental responsibilities (e.g., health, education, social services).

The Good Friday Agreement also contained provisions on decommissioning (disarmament) of paramilitary weapons, policing, human rights, UK security normalization (demilitarization), and the status of prisoners. Crucially, the agreement 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 to allow leaders in the northern and southern parts of the island of Ireland to consult and cooperate on cross-border issues, and a British-Irish Council composed of representatives of the two governments, the devolved

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

² Many unionists and loyalists refer to the six counties that today make up Northern Ireland as “Ulster.” Technically and historically, Ulster also includes the three northern-most counties of the Republic of Ireland.

³ The text of the Good Friday Agreement (or Belfast Agreement) may be found at <http://cain.ulst.ac.uk/events/peace/docs/agreement.htm>. The unionist/Protestant community tends to use the term “Belfast Agreement,” viewing the name “Good Friday Agreement” as biased in favor of the nationalist/Catholic community. For the purposes of this report, the peace accord is referred to as the “Good Friday Agreement” because this is the name more widely used and recognized in the United States.

administrations of Northern Ireland, Scotland, Wales, the Channel Islands, and the Isle of Man to discuss matters of regional interest.

Figure 1. Map of Northern Ireland



Source: CRS Graphics.

Voters in Northern Ireland and the Republic of Ireland approved the Good Friday Agreement in separate referendums on May 22, 1998. Elections to the new Northern Ireland Assembly took place on June 25, 1998. The two biggest and mainstream unionist and nationalist parties at the time—the Ulster Unionist Party (UUP) and the Social Democratic and Labour Party (SDLP)—won 28 and 24 seats respectively. The harder line Democratic Unionist Party (DUP), despite its continued opposition to many parts of the Good Friday Agreement, won 20 seats; Sinn Féin, the associated political party of the Irish Republican Army (IRA) won 18; and a number of smaller parties claimed the rest of the Assembly seats.

Devolved Government and Recurrent Crises

Despite a much improved security situation since the signing of the Good Friday Agreement in 1998, full implementation has been difficult. For years, instability in Northern Ireland's devolved government was the rule rather than the exception. Decommissioning and police reforms were key sticking points. Sporadic violence from dissident republican and loyalist paramilitary groups that refused to accept the peace process and incidents of sectarian strife between Protestants and Catholics also helped feed ongoing mistrust between the unionist and nationalist communities.

1999-2002: Instability in the Devolved Government

Although Assembly elections were held in June 1998, devolution of power from London to Belfast did not follow promptly. A key unionist concern throughout the negotiations leading up to the Good Friday Agreement had been the issue of decommissioning, or surrender of paramilitary weapons. The text of the agreement states “those who hold office should use only democratic, non-violent means, and those who do not should be excluded or removed from office.” Due to the election results, Sinn Féin was entitled to two ministerial posts on the Executive Committee. Unionists argued, however, that Sinn Féin could not assume its ministerial posts until the IRA had surrendered at least some of its weapons, as called for by the peace agreement.⁴ Sinn Féin countered that the Good Friday Agreement did not specify a start date for decommissioning. Although the IRA had been observing a ceasefire since 1997, it viewed decommissioning as tantamount to surrender, and had long resisted such calls.

In the fall of 1999, former U.S. Senator George Mitchell (who had chaired the peace talks), led a review of the Good Friday Agreement's implementation. This review succeeded in getting unionists to drop their precondition that the IRA had to decommission first, before Sinn Féin representatives could assume their ministerial posts. 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. London, however, retained control over “reserved” matters including policing, prisons, and the criminal justice system; given the sensitive nature of these issues, the parties had been unable to reach an accord on their devolution at the time of the signing of the Good Friday Agreement and instead agreed to postpone the devolution of policing and justice powers until an undetermined point in the future. David Trimble, the leader of the UUP at the time, was elected First Minister; Seamus Mallon of the SDLP was elected Deputy First Minister.⁵

⁴ The Good Friday Agreement calls upon all paramilitary groups, both republican and loyalist, to decommission.

⁵ The leader of the SDLP at the time, John Hume, who with Trimble had been instrumental in forging the Good Friday Agreement, declined to accept the Deputy First Minister position because of ill health.

On February 11, 2000, however, London suspended Northern Ireland's devolved government because First Minister Trimble was poised to resign to protest the continued absence of IRA decommissioning. British officials feared that Trimble would have been replaced as party leader by someone less supportive of, if not opposed to, the peace agreement. After intense negotiations involving Trimble and Sinn Fein, the IRA pledged to initiate a process to put its arms "beyond use." Northern Ireland's power-sharing institutions were reinstated in June 2000.

For the next 12 months, unionists remained frustrated by the ongoing lack of actual IRA decommissioning. As a result, Trimble resigned as First Minister on July 1, 2001, claiming that he could no longer share power with nationalists who refused to give up their weapons and send a clear signal of their commitment to democratic politics. Negotiations led by the British and Irish governments to avert the collapse of Northern Ireland's political institutions again proved difficult. 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; this brief suspension reset the clock, giving negotiators another six weeks to try to resolve the crisis. London feared that fresh elections would result in gains for hardline unionists and nationalists, which would further polarize the situation.

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; calls for IRA decommissioning increased even further after the September 11, 2001, terrorist attacks on the United States. The FARC, estimated at the time to be 15,000 strong, is a force that has conducted terrorist attacks against Colombian political and economic targets, as well as U.S. interests. Given U.S. efforts to help Colombian authorities counter the FARC, the former Bush Administration was troubled by the IRA's apparent ties to this group. And after September 11, "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 the reported remarks of an Irish diplomat.⁶ The IRA faced the possibility of being put back on the U.S. State Department's list of terrorist organizations, and Sinn Fein risked political isolation as well as the evaporation of private American financial support.

Negotiations among Sinn Fein, London, and Dublin continued, but 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 arms, ammunition, and explosives "beyond use" to "save the peace process." In response, the UUP agreed to rejoin the Executive, and the Assembly reconvened in November 2001. Trimble was re-elected First Minister and Mark Durkan, the new leader of the SDLP, was elected Deputy First Minister.

Relative calm prevailed in early 2002. On April 8, 2002, the IRA carried out a second act of decommissioning. Still, worries among unionists 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. The IRA denied all of these accusations. The summer of 2002 saw an upsurge in sectarian violence, including paramilitary shootings and rioting in Belfast and elsewhere. First Minister Trimble

⁶ Kevin Cullen, "Sinn Fein Prods IRA on Disarming," *Boston Globe*, October 23, 2001; "Decommissioning Pace Forced by IRA's Colombian Links," *Irish Times*, October 27, 2001.

threatened to resign again in a bid to pressure Sinn Fein to crack down on IRA members whom unionists claimed were behind the recent violence and in breach of the peace accord.

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. Unionists viewed the charges as further 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. Sinn Fein countered that the timing of the police raid on its offices—shortly after another UUP ultimatum for IRA disarmament—was not coincidental, but rather intended to shift the blame for an impending government collapse away from the unionists. With the political process in turmoil, London once again suspended Belfast's devolved government and reinstated direct rule on October 14, 2002.

2003-2007: The Struggle to Restore Devolution

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 produced a significant shift in the balance of power in Northern Ireland politics in favor of perceived hardliners on both sides of the conflict. The DUP—led by the Reverend Ian Paisley—overtook the UUP as the dominant unionist party. Sinn Fein surpassed the more moderate 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 2003 election results would make restoring devolution more difficult.

For much of 2004, negotiations to restore the devolved government continued but remained stalemated. Talks 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 a Belfast man, Robert McCartney, during a bar brawl involving IRA members. These incidents increased pressure on the IRA and Sinn Fein to address the additional issue of IRA criminality; perhaps most significantly, much of this pressure came from within the Catholic community. On April 6, 2005, Sinn Fein leader Gerry Adams effectively called on the IRA to abandon violence and pursue politics as an "alternative" to "armed struggle." The IRA responded that it would consider Adams's appeal. London and Dublin welcomed Adams's statement but stressed that further progress in the peace process would depend on a decisive end to all IRA activity.

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." 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.

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), responsible for monitoring 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 that the IRA's decommissioning would be accompanied by an end to all IRA paramilitary and criminal activity, and the DUP continued to resist sharing power with Sinn Féin.

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.⁷

With no real progress in the negotiations by mid-September 2006, then-UK Prime Minister Tony Blair and then-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 Féin, and Sinn Féin 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 May 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 again 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.

Analysts contended that the biggest problem was the lack of trust between the DUP and Sinn Féin. The DUP wanted Sinn Féin to accept Northern Ireland's new police service, the courts, and the rule of law before agreeing to shared government. Meanwhile, Sinn Féin 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 Féin members voted to support Northern Ireland's police and the criminal justice system in the context of the reestablishment of the political institutions. Many experts viewed Sinn Féin's resolution as historic, given the IRA's traditional view of the police as a legitimate target.⁸

On March 7, 2007, Northern Ireland voters went to the polls. Once again, the DUP and Sinn Féin emerged as the largest unionist and nationalist parties. Both the DUP and Sinn Féin interpreted these election results, in which each saw off challenges from internal dissenters opposed to the St.

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

⁸ "Sinn Féin Votes to Support Police," BBC News, January 28, 2007.

Andrews Agreement, as providing a mandate to work toward forming a power-sharing government. Analysts speculated that in light of Sinn Féin's commitment to policing, and perhaps to secure his own legacy, Paisley was finally ready to enter into government with Sinn Féin.

On March 26, 2007, in an historic event, Paisley and Adams met for the first time and announced a deal to form 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 Féin's commitment to support policing. Analysts contended 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.⁹

On May 8, 2007, Paisley and Sinn Féin's chief negotiator Martin McGuinness were sworn in as First and Deputy First Minister respectively, and the power-sharing Assembly and Executive began work. Many experts believed that unlike past efforts, this deal would stick, given that it was reached by the DUP and Sinn Féin, viewed as the two most polarized forces in Northern Ireland politics. By many accounts, Paisley and McGuinness established a good working relationship, and the devolved government ran relatively smoothly for the remainder of 2007. Focus was largely on local issues, such as water charges, health care, housing, and education. In October 2007, the Executive issued a new legislative program, a 10-year investment strategy, and its first budget since devolution was restored. Many hailed these documents as demonstrating the Executive's ability to work together on key priorities and spending plans.¹⁰

At the same time, tensions remained within the devolved government and many continued to reflect nationalist-unionist divisions. Most significantly, the DUP and Sinn Féin remained at odds over the transfer of police and justice affairs from London to the devolved government by May 2008, as called for in the 2006 St. Andrews Agreement. The DUP had long maintained that May 2008 was merely an aspirational date to which they were not committed.

2008-2010: The Transfer of Policing and Justice Powers

During the first few months of 2008, the UK government continued to encourage the devolution of policing and justice powers to Northern Ireland's Assembly and Executive by May 2008. Sinn Féin leaders warned that a failure to transfer police and justice powers by then could lead to renewed political instability. The DUP, however, continued to argue that May 2008 was only a target date and that more time was needed to build public confidence both in Sinn Féin's commitment to the police service and the devolved government's ability to undertake such a sensitive policy portfolio. Consequently, the May 2008 deadline for the devolution of police and justice affairs came and went.

The issue was further complicated when Ian Paisley stepped down as DUP leader and First Minister on June 5, 2008, at the age of 81. Observers speculated that Paisley's decision likely reflected his increasing physical fragility and a loss of support among some Protestant voters still

⁹ 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.

¹⁰ Dan McGinn, "Job Creation Key to Stormont Programme for Government," Press Association, October 25, 2007; "McAleese Praises Stormont Leaders," *Irish News*, November 30, 2007.

opposed to the power-sharing deal with Sinn Fein. Peter Robinson, the former deputy DUP leader, succeeded Paisley as party leader and first minister. Press reports indicated that the relationship between Robinson and Deputy First Minister McGuinness was much frostier than that between Paisley and McGuinness. Some suggest that Robinson's demeanor toward McGuinness reflected pressure from hardline elements both within and outside the DUP.

In July 2008, the lack of progress on devolving police and justice powers from London to Belfast prompted Sinn Fein to block the regular meetings of the Executive Committee, essentially bringing the formal work of the Assembly to a standstill. Press reports indicated that Sinn Fein was also unhappy with DUP opposition to other nationalist legislative proposals, including education reform, an Irish language act, and the proposed transformation of the Maze prison site. After a five-month suspension, Executive Committee meetings resumed in late November 2008 following a DUP-Sinn Fein agreement on a roadmap for devolving authority for policing and justice affairs. Although Sinn Fein failed to achieve a precise date for such devolution, the roadmap set out a series of steps aimed at producing the eventual transfer of power.

As part of the roadmap, the DUP and Sinn Fein agreed that a Northern Ireland Justice Department would be established, as well as an independent attorney general for Northern Ireland. In addition, the parties agreed on a system for choosing a justice minister. Although Executive Committee ministerial portfolios are normally allocated based on party strength, the two sides asserted that given the sensitive nature of this position, the new justice minister would be elected by a cross-community vote in the Assembly. The DUP was eager to ensure that the justice minister post would not go to Sinn Fein in the near future.¹¹

Nevertheless, for much of 2009, progress on transferring police and justice powers to the devolved government remained slow. The DUP continued to insist that it would only support devolution when there was sufficient confidence within the unionist community; among the confidence-building measures reportedly demanded by the DUP were certain guarantees regarding police reserve units and changes to how contentious sectarian parades in the region were managed (see "Recent Events and Ongoing Challenges" for more information). Sinn Fein accused the DUP of stalling and playing politics. As the months went on, observers noted an uptick in dissident and paramilitary activity and asserted that such groups were attempting to exploit the perceived instability in the devolved government. In March 2009, two British soldiers and a policeman were killed by dissident republicans in separate incidents. Both the DUP and Sinn Fein condemned the murders and pledged that such actions would not impede the peace process or the work of the devolved government.

On December 1, 2009, the Northern Ireland Assembly passed a bill paving the way for the devolution of policing and justice powers. The bill created a justice department and formally established the rules for appointing a justice minister (as agreed in the November 2008 roadmap). However, Deputy First Minister McGuinness also warned of an "impending full blown crisis" in the devolved government if a firm date for devolution was not set soon. Negotiations between the DUP and Sinn Fein continued in early 2010, but remained deadlocked. On January 25, 2010, then-British Prime Minister Gordon Brown and then-Irish Prime Minister Brian Cowen convened

¹¹ David McKittrick, "Sinn Fein Isolated at Stormont in Stand-Off with DUP over Power-Sharing," *The Independent*, September 19, 2008; Gerry Moriarty, "Robinson and Adams Have to Show Leadership," *Irish Times*, October 17, 2008; Henry McDonald and Owen Bowcott, "Northern Ireland Parties Reach Devolution Agreement," *The Guardian*, November 18, 2008; Mark Devenport, "Agreement Leaves Unanswered Questions," BBC News, November 19, 2008.

a summit with the parties to try to hammer out a deal and set a date for the devolution of authority for policing and justice affairs.

On February 4, 2010, after 10 days of intense negotiations, the DUP and Sinn Féin announced that they had reached a deal on the devolution of policing and justice authority from London to Belfast. The resulting “Hillsborough Agreement” set April 12, 2010, as the date for this transfer of power. The Hillsborough Agreement also established a timeline for developing a new mechanism to deal with disputed sectarian parades. Other parts of the accord called for establishing working groups to examine how the Executive might function better, as well as to address remaining issues from the 2006 St. Andrews Agreement. London, Dublin, and Washington hailed the Hillsborough accord as a significant step toward completing the full implementation of the Good Friday Agreement and securing a lasting peace in Northern Ireland.

On March 9, 2010, the Northern Ireland Assembly approved the Hillsborough Agreement. On April 12, as agreed and for the first time in 38 years, London transferred power over policing and justice affairs to Belfast. That same day, David Ford, of the smaller, cross-community Alliance Party, was elected as Northern Ireland’s new justice minister.¹²

Implementing Police Reforms

Police reforms have long been recognized as a key element in achieving a comprehensive peace in Northern Ireland, but implementation has been challenging. 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 make recommendations 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 (from 8% to 30% in 10 years). Unionists responded negatively, but nationalists were mostly positive.¹³

In May 2000, the Blair government introduced the Police Bill in the UK House of Commons, and maintained that the reform bill was faithful to the Patten report’s “broad intention” and “detailed recommendations.” 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 (Northern

¹² “Justice Minister in Place by Xmas,” *Belfast News*, December 3, 2009; “Parading: A Deal Breaker?” BBC News, January 14, 2010; “Timeline: Devolution of Policing and Justice,” BBC News, February 5, 2010; Steven McCaffery and David Young, “Assembly Passes Policing and Justice Devolution,” *The Independent*, March 9, 2010.

¹³ See “A New Beginning: Policing in Northern Ireland,” The Report of the Independent Commission on Policing for Northern Ireland, September 1999. The text may be found at <http://cain.ulst.ac.uk/issues/police/patten/patten99.pdf>.

Ireland) Bill became law in November 2000, but Sinn Fein and the SDLP asserted that the reforms did not go far enough and were doubtful that the new police force would be sufficiently accountable or responsive to the entire community. In March 2001, recruiting began for the future Police Service of Northern Ireland (PSNI), but it was unclear whether nationalists would support this new force or join the 19-member Policing Board, a new democratic oversight body. To help ensure nationalist support, London proposed further concessions in July 2001, including halving the anti-terrorist “Special Branch” and prohibiting new recruits from using plastic bullets.

In August 2001, the SDLP broke with Sinn Fein and accepted the British government’s additional concessions on policing. The SDLP agreed to nominate representatives to the Policing Board and urged young Catholics to join the new police service. The UUP and the DUP also agreed to join the Policing Board, which 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 Catholic and Protestant communities began their training. Sinn Fein maintained that the changes in the police service were largely cosmetic and continued to charge that the new PSNI—like the RUC before it—would be unduly influenced by elements of the security services opposed to the peace process. Some say that Sinn Fein’s absence from the Policing Board discouraged more Catholics from joining the PSNI, and prevented the PSNI’s full acceptance by the nationalist community.

To assuage nationalist concerns further and encourage Sinn Fein to join the Policing Board, London outlined plans in November 2002 for new policing legislation to provide more public accountability and to eventually allow former paramilitaries to sit on Northern Ireland’s District Policing Partnerships, which seek to foster greater local involvement in policing. This Police (Northern Ireland) Bill became law in April 2003. In November 2004, Sinn Fein leader Gerry Adams met with then-PSNI chief Hugh Orde for the first time in what was viewed by many as a positive sign for the peace process.

Sinn Fein continued to assert, however, 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 previously, in January 2007, Sinn Fein members voted to support the police and join the Policing Board. Sinn Fein members assumed their places on the Policing Board in late May 2007, following the re-establishment of the devolved government. Some analysts contended that Sinn Fein’s 2007 decisions to support the PSNI and join the Policing Board were made on the assumption that the devolution of policing and justice powers would occur soon thereafter. As such, Sinn Fein leaders reportedly worried that the delay in this process left them vulnerable to dissident republicans who could claim that Sinn Fein’s new approach toward policing had not produced tangible results.¹⁴ As discussed above, policing and justice powers were transferred to the Northern Ireland Assembly and Executive in April 2010.

In March 2011, the 50-50 recruitment process for Catholic and Protestant PSNI officers was brought to a close. In making this decision, UK officials asserted that Catholic officers now made up almost 30% of the PSNI, and as such, the 50-50 process had fulfilled the goal set out by the Patten Commission. Although some nationalists viewed this decision as premature, many unionists applauded it, viewing the 50-50 rule as unfairly discriminating against Protestants.¹⁵

¹⁴ “Northern Ireland: Eerie Echoes of the Past,” *The Guardian*, December 31, 2009.

¹⁵ “Police 50-50 Recruiting System Is to End,” BBC News, March 28, 2011.

Security Normalization

In July 2007, the British army ended its 38-year long military operation in Northern Ireland in the context of the peace process and the improved security situation. Although a regular garrison of 5,000 British troops remains based in Northern Ireland, they no longer have a role in policing and may be deployed anywhere in the world. Policing in Northern Ireland is now the responsibility of the PSNI.

Recent Events and Ongoing Challenges

In light of the 2007 political agreement to restore Northern Ireland's devolved government, the transfer of policing and justice powers in 2010, and the extensive police reforms of the last decade, many analysts view the implementation of the most important aspects of the Good Friday Agreement as having been completed. In late March 2011, the Northern Ireland Assembly and Executive concluded its first full term in office in 40 years. Elections for a new devolved government were held on May 5, 2011. The DUP and Sinn Féin retained their positions as the largest unionist and nationalist parties in the Assembly, resulting in the return of DUP leader Peter Robinson as First Minister and Sinn Féin's Martin McGuinness as Deputy First Minister. Observers noted that the 2011 elections were remarkable for their focus on "bread-and-butter" political and economic issues rather than "the Troubles." Although the unionist-nationalist divide still largely defines Northern Ireland's politics, with two parallel elections essentially taking place, 2011 election results indicate that some voters actually crossed traditional community lines in casting their second- and third-preference votes.¹⁶

Despite the progress in Northern Ireland, tensions remain within the devolved government and between the unionist and nationalist communities. Some commentators point out that several issues related to the peace process are still outstanding. Many nationalists continue to press for more progress in the area of human rights and equality, arguing in particular that Northern Ireland needs its own Bill of Rights and an Irish Language Act. Meanwhile, as discussed below, unionists remain concerned with how sectarian parades are managed. Broader issues in Northern Ireland's search for peace and reconciliation also persist. These include addressing ongoing sectarian sticking points, fully grappling with Northern Ireland's legacy of violence (often termed "dealing with the past"), curbing remaining dissident activity, and fostering economic development.

In July 2013, the Northern Ireland Executive appointed former U.S. diplomat and special envoy for Northern Ireland, Richard Haass, as the independent chair of interparty talks aimed at tackling some of the most divisive issues in Northern Ireland society.¹⁷ In particular, Haass was tasked with setting out recommendations by the end of 2013 on dealing with the past and the sectarian issues of parading, protests, and the use of flags and emblems. At the end of December 2013, Haass released a draft proposal outlining the way forward in these areas, but was unable to broker a final agreement among the Northern Ireland political parties participating in the talks.¹⁸

¹⁶ Fianola Meredith, "Northern Ireland's Positive Apathy," *The Guardian*, May 7, 2011.

¹⁷ Haass served as President George W. Bush's special envoy for Northern Ireland from 2001 to 2003; he is currently President of the U.S. Council on Foreign Relations.

¹⁸ For the full text of the December 31, 2013 draft agreement presented by Haass and his negotiating team, see <http://www.northernireland.gov.uk/haass.pdf>.

Following the lack of agreement on the Haass proposals, several events in 2014 highlighted the fragility of relations between the unionist and nationalist communities and renewed concerns about the stability of the devolved government. In early 2014, controversy arose over a past deal over “on the runs,” i.e., individuals suspected of paramilitary offenses or escaped paramilitary prisoners. Under the terms of the 1998 Good Friday Agreement, anyone convicted of paramilitary crimes was eligible for early release from prison, but the accord did not cover the “on the runs.” Sinn Féin continued to press for a formal legal solution that would allow “on the runs” to return to Northern Ireland and other parts of the UK, but faced strong unionist opposition.

Given the political obstacles to establishing a formal mechanism to address the “on the runs,” in 2000, the UK government apparently reached an initial, informal accommodation with Sinn Féin to provide a degree of assurance to at least some “on the runs.” Under this agreement, UK authorities would review individual cases and issue letters to those that they determined did not face arrest or prosecution for paramilitary offenses on the basis of existing information. This “on the runs” scheme was not made public, however. It only came to light in February 2014, when a judge dismissed the murder case against suspected former IRA member John Downey for his role in the deadly 1982 London Hyde Park bombing after Downey produced a “letter of assurance” he received from UK officials in 2007 stating that he was not a wanted man.

The revelation of the “on the runs” deal—in which 192 republicans were reportedly told that they were “not wanted”—sparked outrage among many unionists, as did indications that the letter to Downey was apparently sent in error (while Downey was not considered a suspect by the Police Service of Northern Ireland, he was still wanted by London police). Although Sinn Féin asserted that the DUP and the other political parties were aware of the “on the runs” program, First Minister Robinson claimed that the DUP did not know about the deal and warned that he would resign unless the UK government held a full public inquiry. In response, Prime Minister David Cameron announced an independent review of the “on the runs” program led by a judge; this review would also seek to determine whether any other “letters of assurance” had been issued by mistake. Although evidence would not be heard in public, Robinson announced that he was satisfied with the terms of the inquiry and would not resign.¹⁹

In July 2014, the independent review conducted by Lady Justice Heather Hallet was released. The Hallet review found that the “on the runs” scheme was lawful and that the letters did not provide amnesty; at the same time, it asserted that there were “significant systemic failures” in how the program was operated. The review also found that while the “on the runs” scheme was kept “below the radar” because of its political sensitivity, it was not “secret.” Former UK officials, including former Prime Minister Blair, have maintained that the peace process could have collapsed without the “on the runs” program.²⁰

In early May 2014, the detention and questioning of Sinn Féin President Gerry Adams by the PSNI in connection to the 1972 IRA murder of Jean McConville served as another reminder of unresolved issues from “the Troubles.” Statements from two former IRA members, given as part of a Boston College oral history project, prompted a renewed police investigation into the murder of McConville (who the IRA mistakenly believed was an informant for the British Army). In the

¹⁹ “Cameron Appoints Judge to Investigate On-the-Run Deals,” *Irish Times*, February 27, 2014; “On the Runs: Jonathan Powell Says Crisis Based on Misunderstanding,” BBC News, February 27, 2014.

²⁰ “On the Runs – Hallet Review and Key Questions,” BBC News, July 17, 2014; Gerry Moriarty, “Fallout over OTRs Report Unlikely to Bring Down Executive,” *Irish Times*, July 18, 2014; “OTR Letters: Tony Blair Says NI Peace Process Could Have Collapsed Without Scheme,” BBC News, January 13, 2015.

taped interviews, the former IRA members alleged that Adams was an IRA commander and had authorized McConville's abduction and execution. Adams has long denied being a member of the IRA and has strongly refuted the claims made in the Boston College tapes regarding the McConville murder, noting that his accusers (now both dead) had disagreed with his support for the 1998 Good Friday Agreement and viewed him as a "sell out."²¹

Sinn Fein supporters contended that the timing of Adams' detainment—just before local and European elections in the Republic of Ireland in which Sinn Fein was poised to do well—was politically motivated. Some Sinn Fein officials questioned whether the party could still support the PSNI; unionists accused Sinn Fein of trying to blackmail and bully the police service. The PSNI, as well as British and Irish officials, have all rejected accusations that the timing of Adams' detention was political; some point out that Adams voluntarily presented himself for questioning and was therefore responsible himself for the timing. Adams was released without charge.²²

During the summer of 2014, the devolved government was again tested by financial pressures and a long-running disagreement over UK-wide welfare reforms (passed by the UK parliament in February 2013, but which Sinn Fein and the SDLP opposed implementing in Northern Ireland). Northern Ireland also faced significant spending cuts given the imposition of austerity measures throughout the UK and a budgetary shortfall for its 2015-2016 fiscal year of £200 million (roughly \$302 million). About £90 million (\$136 million) of this budgetary shortfall was due to fines levied by the UK Treasury for the devolved government's failure to introduce the mandated welfare reforms.²³

Analysts contend that the welfare and budgetary disputes decreased public confidence in the devolved government's effectiveness and raised broader questions about its stability. In early September 2014, First Minister Robinson asserted that the current governing arrangements were "no longer fit for purpose" and called for new interparty discussions to improve Northern Ireland's institutions and decision-making processes.²⁴ A few weeks later, the UK government announced it would convene talks with Northern Ireland's main political parties (the DUP, Sinn Fein, the UUP, the SDLP, and the Alliance) on government stability and finances, as well as on the issues previously addressed by Richard Haass in 2013 (managing parades and protests, the use of flags and emblems, and dealing with the past).

²¹ Between 2001 and 2006, researchers at Boston College conducted a total of 46 interviews with former republican and loyalist paramilitary members as part of the Belfast Project, which sought to record first-person, oral histories of "the Troubles" for future researchers of the conflict. Boston College pledged to the participants that their interviews would not be released until after their deaths. In March 2011, the British government, acting on a request from the PSNI, contacted the U.S. Department of Justice to subpoena Boston College for all materials related to two interviews by former IRA members Brendan Hughes and Dolours Price, in which they both reportedly discussed the McConville murder; a second subpoena was issued to Boston College in August 2011 for any and all materials from the Belfast Project related to the McConville case. In September 2013, a final court ruling forced Boston College to turn over 11 documents from the oral history archive to UK authorities. In May 2014, the PSNI announced it would seek access to the entire Boston College archive. For more information, see Katherine Q. Seelye, "A Heinous Crime, Secret Histories and a Sinn Fein Leader's Arrest," *New York Times*, May 1, 2014; Katrin Bennhold, "Northern Ireland Police Sue for Boston College Interviews," *New York Times*, May 22, 2014; Kevin Cullen, "BC Exercise in Idealism Reopened Old Wounds," *Boston Globe*, July 6, 2014.

²² "Gerry Adams Freed in Jean McConville Murder Inquiry," BBC News, May 4, 2014; Steven Erlanger, "No Charges as Leader of Sinn Fein Is Released," *New York Times*, May 4, 2014.

²³ Mark Devenport, "Treasury Warned Northern Ireland Executive to Go into Red," BBC News, October 2, 2014; Vincent Boland, "Britain and the Cuts: Northern Ireland Budget Addresses Harsh Reality," *Financial Times*, November 12, 2014.

²⁴ "Peter Robinson Says Stormont No Longer Fit for Purpose," BBC News, September 9, 2014.

On December 23, 2014, the Northern Ireland political parties and the British and Irish governments announced that a broad, multifaceted agreement had been reached that addressed financial and welfare reform; governing structures; and the contentious issues of parades, flags, and the past. As part of the so-called “Stormont House Agreement,” the five main political parties agreed to support welfare reform (with certain mitigating measures), balance the budget, address Northern Ireland’s heavy economic reliance on the public sector, and reduce the number of Executive departments and Assembly members over the next few years to help streamline the workings of the devolved government and cut costs. In exchange, the UK government pledged a financial package of almost £2 billion (roughly \$3 billion) to offset the impact of welfare cuts, reform the public sector, and fund several new bodies to deal with past conflict-related incidents and support victims of “the Troubles;” the UK government also agreed to devolve powers over corporation tax from London to Belfast by 2017 to enable Northern Ireland to lower its corporate tax rate and improve its ability to attract foreign investment.²⁵

London and Dublin hailed the Stormont House Agreement as a welcome step forward. The five main political parties also appeared largely satisfied with the Agreement, despite some varying degrees of reservation over certain details. Some Alliance and UUP members, for example, worried that the deal did not make greater progress toward resolving controversial parades, while Sinn Féin and the SDLP expressed disappointment that the Agreement did not call for an Irish Language Act, a bill of rights for Northern Ireland, or a public inquiry into the 1989 murder of Belfast lawyer Patrick Finucane.²⁶

In early 2015, as promised in the Stormont House Agreement, the devolved government brought forward a welfare reform bill to enact the required changes. On March 9, 2015, however, as the bill was nearing completion in the Assembly, Sinn Féin announced it would block the bill, accusing the DUP of reneging on commitments to fully protect current and future welfare claimants. Press reports indicate that Deputy First Minister McGuinness has also asserted that more money from the UK government would be required to create an adequate offset fund to assist welfare recipients negatively affected by the reforms. The DUP responded that Sinn Féin’s behavior was “dishonorable and ham-fisted.” UK officials maintain that the British government will not provide any additional funding beyond that outlined in the Stormont House Agreement. UK and Northern Ireland leaders and analysts warn that failure to resolve the welfare reform issue could threaten other aspects of the Stormont House Agreement and possibly provoke a collapse of the devolved government.²⁷

Sectarian Sticking Points: Parading, Protests, and the Use of Flags and Emblems

Observers suggest that Northern Ireland remains a largely divided society, with Protestant and Catholic communities existing in parallel. One report points out that the number of “peace

²⁵ The Stormont House Agreement and its financial annex are available at <https://www.gov.uk/government/publications/the-stormont-house-agreement>.

²⁶ “NI Talks: Broad Agreement Is Brokered on Some Key Issues,” BBC News, December 23, 2014; Gerry Moriarty and Harry McGee, “Agreement Reached in Northern Ireland Talks,” *Irish Times*, December 23, 2014; Henry McDonald, “Northern Ireland Parties Agree £2bn Deal to Secure Power-Sharing,” *The Guardian*, December 23, 2014.

²⁷ “Sinn Féin Blocks Welfare Bill in Northern Ireland Assembly,” BBC News, March 9, 2015; Gerry Moriarty, “Sinn Féin Accuses DUP of Reneging on Welfare Commitments,” *Irish Times*, March 9, 2015; “Welfare Reform: Westminster Will Not Provide Extra Money Says Minister,” BBC News, March 10, 2015.

walls”—physical barriers separating Protestant and Catholic neighborhoods—has actually increased since the signing of the Good Friday Agreement (from 22 in 1998 to 48 as of 2012). Many experts also note that housing developments and schools in Northern Ireland remain mostly single identity communities.²⁸

Some analysts contend that the depth of sectarian divisions has been in full view in recent years during the annual summer “marching season,” when many unionists parades commemorating Protestant history are held. Commentators assert that the street violence and riots during the 2013 season were some of the worst in recent memory, although the 2014 season was somewhat less intense. Many Protestant organizations view the existing Parades Commission that arbitrates disputes over parade routes as largely biased in favor of Catholics and have repeatedly urged its abolition.²⁹ Although the Hillsborough Agreement called for a new parading structure to be in place by December 2010, this process has largely stalled. In mid-2010, the DUP-Sinn Féin-led Northern Ireland Executive proposed new parades legislation that would have abolished the current Parades Commission and promoted local solutions to disputed marches. However, the Protestant Orange Order—a group at the center of many contentious parades in the past—opposed several elements of the plan and rejected it. The DUP asserted that it would not make sense to set up a new parading structure without the support of the Orange Order.³⁰

Frictions between the unionist and nationalist communities were also highlighted by a series of protests that erupted in late 2012-early 2013 following a decision to fly the union (UK) flag at Belfast City Hall only on designated days, rather than year-round (nationalist city councilors had originally wanted the flag removed completely but agreed to a compromise plan that it would be flown on certain specified days instead). The protests, mostly by unionists and loyalists, occurred in Belfast and elsewhere in Northern Ireland, and some turned violent; Northern Ireland leaders on both sides of the sectarian divide received death threats, and some political party offices were vandalized.³¹

As mentioned previously, parading, protests, and the use of flags and emblems were discussed during the interparty talks led by Richard Haass in the fall of 2013. According to Haass, dealing with flags and symbols was the “toughest area of negotiations,” and the draft agreement proposed at the end of December 2013 noted that the parties had been unable to reach consensus on any new policies surrounding the display of flags or emblems. Instead, the Haass proposals called for establishing a Commission on Identity, Culture, and Tradition to hold public discussions throughout Northern Ireland on the use of flags and emblems (among other issues) to try to find a way forward. The December 2014 Stormont House Agreement essentially endorsed the idea, put forth by Haass, to set up such a commission and calls for it to be established by June 2015. This commission will be composed of 15 members (seven to be appointed by Northern Ireland’s main political parties and eight to be drawn from outside the government) and is expected to report on its findings within 18 months.

²⁸ “14 Years After Deal NI Still Very Divided New Report Suggests,” BBC News, February 29, 2012.

²⁹ In 1998, an independent Parades Commission was set up to rule on disputed parades. Although the vast majority of these annual parades by unionist cultural and religious organizations are not contentious, some are held through or close to areas populated mainly by Catholics (some of whom perceive such parades as triumphalist and intimidating) and have, at times, provoked fierce street violence.

³⁰ “Parades Legislation on Hold over Orange Order Move,” BBC News, September 27, 2010.

³¹ “Q&A: Northern Ireland Flag Protests,” BBC News, December 8, 2012.

As for parading, the Haass proposals recommended transferring authority over parading from the Parades Commission to the devolved government, which would establish two new structures: a new Office for Parades, Select Commemorations, and Related Protests (to receive all event notifications and promote community dialogue and mediation); and a new, independent, seven-person Authority for Public Events Adjudication (to make decisions in cases where parading and protest disputes remained). The Haass proposals also called for establishing in law a code of conduct for both marchers and protesters to help ensure respectful behavior. In the Stormont House Agreement, the parties agreed that responsibility for parades and related protests should, in principle, be devolved to the Northern Ireland Assembly and that new legislative proposals should be introduced by June 2015.

Dealing with the Past

Fully addressing the legacy of violence in Northern Ireland remains a difficult issue. The Good Friday Agreement asserted that “it is essential to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation.” In 2008, the Northern Ireland Assembly established a Commission for Victims and Survivors aimed at supporting victims and their families. Several legal processes for examining crimes stemming from “the Troubles” also exist. These include police investigations into deaths related to the conflict; investigations by the Police Ombudsman for Northern Ireland (PONI) of historical cases involving allegations of police misconduct; and public inquiries, such as the Saville inquiry (concluded in 2010) into the 1972 Bloody Sunday incident.

Critics argue, however, that these various legal processes represent a “piecemeal” approach and give some deaths or incidents priority over others. Some observers point out that more than 3,000 conflict-related deaths have never been solved. In 2005, a Historical Enquiries Team (HET) was established within the PSNI to review over 3,200 deaths relating to the conflict between 1968 and 1998, but, despite the HET’s efforts, progress was slow. Others note the expense and time involved with some of these processes; for example, the Bloody Sunday inquiry cost over \$300 million and took 12 years to complete. Some analysts and human rights advocates assert that Northern Ireland needs a comprehensive mechanism for dealing with its past, both to meet the needs of all victims and survivors and to contain costs.

At the same time, many commentators assert that there is no consensus in Northern Ireland on the best way to deal with the past, in part because many unionists and nationalists continue to view the conflict differently and retain competing narratives. A set of recommendations issued in 2009 by the Consultative Group on the Past (set up by the UK government) was widely criticized for a variety of reasons from nearly all segments of Northern Ireland society. Suggestions by Northern Ireland’s attorney general in November 2013 that there should be an end to police investigations and prosecutions related to “the Troubles” were also rejected by both unionists and nationalists.³²

Dealing with the past was a key focus of the talks chaired by Richard Haass in December 2013. Among other recommendations related to the past, the draft proposals put forward by Haass called for establishing two new bodies: (1) a Historical Investigations Unit (HIU) with expanded powers to take over the work of both the HET and the historical unit of the Police Ombudsman

³² “What’s the Future of NI’s Troubled Past,” BBC News, June 16, 2010; Gerry Moriarty, “Negative Reaction to Eames-Bradley Proposals,” *Irish Times*, July 19, 2010; “NI Attorney General John Larkin Calls for End to Troubles Prosecutions,” BBC News, November 20, 2013.

dealing with past misconduct cases; and (2) an Independent Commission for Information Retrieval (ICIR) to enable victims and survivors to seek and privately receive information about conflict-related violence (those coming forward with information would be offered limited immunity but not amnesty). In addition, Haass envisioned that the the proposed ICIR would be responsible for analyzing patterns or themes during “the Troubles” involving governments and paramilitary groups, such as alleged collusion. Despite the lack of final agreement, some Northern Ireland officials and analysts suggested that Haass made more progress in the area of the past than had been expected.³³

The December 2014 Stormont House Agreement largely endorses the proposals suggested by Haass related to dealing with the past. It calls for setting up an HIU to take forward outstanding cases from the HET process and the work of the Police Ombudsman. The HIU will be overseen by the Northern Ireland Policing Board and will aim to complete its work within five years of its establishment. An ICIR will also be established by the British and Irish governments with a five-year mandate and will be entirely separate from the justice systems in each jurisdiction. The ICIR will not disclose information to law enforcement authorities, and any information provided to it will be inadmissible in criminal and civil proceedings; individuals who provide information, however, will not be immune to prosecution for any crime committed should evidentiary requirements be met by other means.

In addition, the Stormont House Agreement calls for the creation of two other entities to help address the legacy of “the Troubles.” By 2016, the Northern Ireland Executive is expected to establish an Oral History Archive to provide a central place for people from all backgrounds to share experiences and narratives related to “the Troubles.” An Implementation and Reconciliation Group (IRG) will also be set up to oversee work on themes, archives, and information recovery in an effort to promote reconciliation and reduce sectarianism. Under the terms of the Stormont House Agreement, up to £150 million (roughly \$226 million) will be provided over five years to help fund these various new bodies focused on dealing with the past.

Dissident Activity

Assessments of ongoing paramilitary activity indicate that the threat from dissident groups opposed to the peace process remains serious. In particular, security officials note that dissident republican groups continue to pose a danger, even though they do not have the same capacity to mount a sustained terror campaign like the IRA did between the 1970s and the 1990s. Most of these dissident republican groups are small in comparison to the IRA during the height of the conflict, and the actual numbers of individuals actively involved has not grown significantly in recent years; at the same time, the number of such dissident republican groups has proliferated.³⁴

The Continuity IRA, the Real IRA, and Óglaigh na hÉireann (believed to be a splinter faction of the Real IRA) are believed to be recruiting members, acquiring weapons, targeting potential victims, and engaging in criminal activity. In April 2011, a young Catholic police officer was

³³ John Mulgrew, “Final Draft on Dealing with Northern Ireland’s Past Released After Failure on Agreement,” *Belfast Telegraph*, December 31, 2013; “Northern Ireland: Richard Haass Talks End Without Deal,” BBC News, December 31, 2013.

³⁴ Gerry Moriarty, “Dissident Republicans Pose Serious Threat in NI and Britain,” *Irish Times*, February 25, 2011; David McKittrick, “Northern Ireland: The Peace Process and the Dissident Menace,” *The Independent*, February 18, 2014.

killed when a bomb exploded under his private car. Dissident republicans are suspected of carrying out the bombing, as well as dozens of other similar attacks on police officers over the last several years (in most of these other attacks, the bombs failed to detonate, although some resulted in serious injuries).

In November 2012, a Protestant prison officer was shot and killed while driving to work; a new dissident republican group calling itself “the IRA” claimed responsibility for this murder. It is believed that this new group was formed during the summer of 2012 and that it brings together several dissident republican individuals and organizations (including the Real IRA and the Republican Action Against Drugs, or RAAD). The end of 2013 also saw an increase in the number of attempted bomb attacks by dissident republican groups, especially in and around Belfast during the holiday shopping season; no one was seriously injured. In 2014, dissident republican groups remained active, continuing to target police, prison officers, and other members of the security services in particular. In February 2014, for example, the “new IRA” claimed responsibility for sending seven letter bombs to army recruitment centers throughout England (they were all safely disposed).³⁵

Remaining loyalist groups are generally perceived as posing less of a threat than dissident republicans at present, but some members are heavily engaged in a wide range of serious crimes. Reports suggest that some loyalist elements continue to recruit young people and possibly seek weapons, both of which are inconsistent with the ceasefire and decommissioning commitments of the main loyalist groups. Northern Ireland police officials also claim that loyalist paramilitaries orchestrated some of the violence related to the flag protests in 2012-2013.³⁶

Economic Issues

Many assert that one of the best ways to ensure a lasting peace in Northern Ireland and deny dissident groups new recruits is to promote continued economic development and further ensure equal opportunity for Catholics and Protestants. Despite the 2008-2009 global economic downturn, Northern Ireland’s economy has improved significantly since the mid-1990s. For example, between 1997 and 2007, Northern Ireland’s economy grew 5.6% on average (marginally above the UK average of 5.4%) and unemployment in Northern Ireland dropped from 8.8% in 1997 to 4.3% in 2007. Although unemployment in Northern Ireland increased during the economic recession, it currently stands at 5.7%, and remains comparatively low relative to previous decades (over 17% in the late 1980s).³⁷

Northern Ireland has also made strides in promoting equality in its workforce. Although Protestants continue to have higher economic activity rates compared to Catholics (73% to 71%), this gap has shrunk considerably since 1992, when there was an 11 percentage point difference between economically active Protestants and Catholics. Between 1992 and 2013, the number of economically active Catholics increased by 120,000, while the number of economically active

³⁵ “New IRA Group Claims It Murdered Prison Officer,” BBC News, November 12, 2012; “Fire Bomb Attack in Belfast City Centre Shows Serious Upsurge in Dissident Republican Activity,” *Belfast Telegraph*, December 17, 2013; “Timeline of Dissident Republican Activity,” BBC News, January 14, 2015.

³⁶ Twenty-Fifth Report of the Independent Monitoring Commission, November 2010; “Loyalist Paramilitaries Behind Some Northern Ireland Trouble,” BBC News, December 8, 2012.

³⁷ Northern Ireland Executive Economic Strategy, *Consultation on Priorities for Sustainable Growth and Prosperity*, January 2011; Northern Ireland Statistics and Research Agency, *Monthly Labour Market Report*, February 2015.

Protestants decreased by 15,000. In addition, the percentage point gap in unemployment rates between the two communities has decreased from 9% in 1992 to 3% in 2013.³⁸

At the same time, economic challenges persist. Income earned and living standards in Northern Ireland remain below the UK average. Northern Ireland also has both a high rate of economic inactivity (28%) and a high proportion of working-age individuals with no qualifications. Studies indicate that the historically poorest areas in Northern Ireland (many of which bore the brunt of “the Troubles”) remain so, and that many of the areas considered to be the most deprived are predominantly Catholic.³⁹

To improve Northern Ireland’s economic recovery and strengthen its long-term performance, Northern Ireland leaders are seeking to promote export-led growth, decrease Northern Ireland’s economic dependency on the public sector by growing the private sector, and attract more foreign direct investment. As discussed previously, reducing Northern Ireland’s economic dependency on the public sector (which currently accounts for about 70% of the region’s gross domestic product and employs roughly 30% of its workforce) and giving Northern Ireland the ability to set its own corporate tax rate in order to help increase foreign investment were key issues addressed in the December 2014 Stormont House Agreement. The Northern Ireland Executive is also working to tackle the problem of economic inactivity; in December 2013, a new initiative was launched with the goal of getting 300,000 more people into work over the next 10 years, in part by establishing incentive schemes for employers.⁴⁰

U.S. Policy

Successive U.S. administrations have viewed the Good Friday Agreement as the best framework for a lasting peace in Northern Ireland. The Clinton Administration was instrumental in helping the parties forge the agreement, and the Bush Administration strongly backed its full implementation. U.S. officials welcomed the end to the IRA’s armed campaign in 2005 and the restoration of the devolved government in 2007.

Like its predecessors, the Obama Administration has continued to offer U.S. support for the peace process. In October 2009, then-U.S. Secretary of State Hillary Clinton visited Northern Ireland, addressed the Assembly, and urged Northern Ireland’s leaders to reach an agreement on the devolution of policing and justice. Following the February 2010 deal on the devolution of these powers, President Obama stated that the resulting Hillsborough Agreement was an “important step on the pathway to greater peace and prosperity for all communities on the island.”⁴¹ In June 2013, President Obama visited Northern Ireland in the context of a G8 summit meeting and noted that the United States would always “stand by” Northern Ireland.⁴² In July 2013, Vice President

³⁸ Office of the First Minister and Deputy First Minister, *The 2013 Labour Force Survey Northern Ireland Religion Report*, December 2014.

³⁹ Northern Ireland Statistics and Research Agency, *Northern Ireland Multiple Deprivation Measure 2010 Report*, May 2010; Northern Ireland Department of Enterprise, Trade, and Investment, *Economic Commentary*, February 2014.

⁴⁰ Northern Ireland Executive, *Economic Strategy: Priorities for Sustainable Growth and Prosperity*, March 2012; “Stormont Launches 10-Year Plan To Tackle Economic Inactivity,” BBC News, December 3, 2013; Vincent Boland, “Northern Ireland Braces for Austerity,” *Financial Times*, March 2, 2015.

⁴¹ “President Obama Welcomes NI Justice Deal,” BBC News, February 5, 2010.

⁴² “G8 Summit: U.S. Will Stand by Northern Ireland, Says Obama,” BBC News, June 17, 2013.

Joseph Biden expressed U.S. support for the launch of the interparty talks led by Richard Haass. In October 2014, U.S. Secretary of State John Kerry appointed former U.S. Senator Gary Hart to serve as the U.S. special representative on Northern Ireland and to play a “direct, on-the-ground diplomatic role.”⁴³ In December 2014, President Obama welcomed the conclusion of the Stormont House Agreement.⁴⁴

Many Members of Congress also actively support the peace process. Encouraged by progress on police reforms, several Members prompted the Bush 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. In recent years, congressional hearings have focused on the peace process, policing reforms, human rights, and the status of public inquiries into several past murders in Northern Ireland in which collusion between the security forces and paramilitary groups is suspected; these murders have included the 1989 slaying of Belfast attorney Patrick Finucane and the 1997 killing of Raymond McCord, Jr.⁴⁵

On the economic front, the United States is an important source of investment for Northern Ireland. Between 2002 and 2007, for example, capital investment by U.S.-based companies totaled \$1.1 billion, and created over 4,000 jobs in Northern Ireland.⁴⁶ Between 2009 and 2011, a special U.S. economic envoy to Northern Ireland worked to further economic ties between the United States and Northern Ireland and to underpin the peace process by promoting economic prosperity. In October 2010, the U.S. government hosted an economic conference in Washington, DC aimed at attracting more U.S. investment to Northern Ireland.

International Fund for Ireland

The United States has provided aid to the region through the International Fund for Ireland (IFI) since its creation in 1986. Although the IFI was established by the British and Irish governments based on objectives in the Anglo-Irish Agreement of 1985, the IFI is an independent entity. The IFI supports economic regeneration and social development projects in areas most affected by the civil unrest in Northern Ireland and in the border areas of the Republic of Ireland; in doing so, it has also sought to foster contact, dialogue, and reconciliation between nationalists and unionists. According to the U.S. State Department, the United States has contributed nearly \$500 million since the IFI’s establishment, roughly half of total IFI funding.⁴⁷ The other international donors to

⁴³ U.S. Department of State Press Release, “Kerry on New Representative for Northern Ireland Issues,” October 21, 2014.

⁴⁴ White House Press Release, “Statement by the President on the Stormont House Agreement in Northern Ireland,” December 23, 2014.

⁴⁵ See, for example, House Foreign Affairs Committee, Subcommittee on International Organizations, Human Rights and Oversight, “Fulfilling the Promise of Peace: Human Rights, Peace and Reconciliation in Northern Ireland and Bosnia,” 111th Congress, September 16, 2010; Commission on Security and Cooperation in Europe, “Northern Ireland: Why Justice in Individual Cases Matters,” 112th Congress, March 16, 2011; Commission on Security and Cooperation in Europe, “Prerequisites for Progress in Northern Ireland,” 112th Congress, March 21, 2012; Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, “Recent Developments in the Investigation of the Murder of Human Rights Attorney Patrick Finucane,” 113th Congress, May 15, 2013; House Foreign Affairs Committee, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and Subcommittee on Europe, Eurasia, and Emerging Threats, “The Northern Ireland Peace Process Today: Attempting to Deal with the Past,” 113th Congress, March 11, 2014.

⁴⁶ Northern Ireland Department of Enterprise, Trade, and Investment, *FDI Research: Final Report*, February 2008.

⁴⁷ U.S. Department of State, *Background Note: Ireland*, November 2011; the Anglo-Irish Agreement Support Act of 1986 (P.L. 99-415) authorizes U.S. contributions to the IFI.

the IFI are the European Union (EU), Canada, Australia, and New Zealand; only the United States and the EU, however, have provided funding for the IFI consistently every year. During the 1980s and 1990s, U.S. appropriations for the IFI averaged around \$23 million annually; in the 2000s, U.S. appropriations averaged \$18 million each year.

According to the Fund, the vast majority of projects that it has supported with seed funding have been located in disadvantaged areas that have suffered from high unemployment, a lack of facilities, and little private sector investment. Since 1986, the IFI has aided over 5,800 projects across Northern Ireland and the southern border counties, in sectors such as tourism, urban and rural development, agriculture, technology, and business and community development. Over the years, IFI-supported projects have helped create a total of 55,000 direct and indirect jobs. In 2006, amid an improved economic situation, the IFI released a five-year “Sharing this Space” program, in which the IFI announced that it would begin shifting its strategic emphasis away from economic development and toward projects aimed at promoting community reconciliation and overcoming past divisions.⁴⁸

Successive U.S. Administrations and many Members of Congress have strongly backed the IFI as a means to promote economic development and encourage divided communities to work together. Support for paramilitary groups in Northern Ireland has traditionally been strongest in communities with high levels of unemployment and economic deprivation. Thus, many observers have long viewed the creation of jobs and economic opportunity as a key part of resolving the conflict in Northern Ireland and have supported the IFI as part of the peace process. In recent years, many U.S. officials and Members of Congress also encouraged the IFI to place greater focus on reconciliation activities, and were pleased with the IFI’s decision to do so in 2006.

However, critics have questioned the IFI’s effectiveness over the years, viewing some IFI projects as largely wasteful and unlikely to bridge community divides in any significant way. Others suggest that the IFI was never intended to continue in perpetuity. Some also argue that it is now time to move the U.S.-Ireland relationship onto a more mature and equal footing, and that continued U.S. development assistance undermines this goal.

Between FY2006 and FY2011, neither the Bush nor the Obama Administration requested funding for the IFI in the president’s annual budget request. Administration officials maintained that the lack of a funding request for the IFI did not signal a decreased U.S. commitment to Northern Ireland; rather, they asserted that the IFI was expected to begin winding down as an organization. The 2006 “Sharing this Space” program was intended as the “last phase” of the IFI, and in its 2009 Annual Report, the IFI stated that it would no longer be seeking contributions from its donors. Despite the lack of an Administration request, Congress continued to appropriate funding for the IFI between FY2006 and FY2010 (\$17 million for FY2010), viewing these contributions as an important and tangible sign of the ongoing U.S. commitment to the peace process.

In FY2011, however, amid the U.S. economic and budget crisis, some Members of Congress began to call for an end to U.S. funding for the IFI as part of a raft of budget-cutting measures. Many asserted that U.S. contributions to the IFI were no longer necessary given Ireland and Northern Ireland’s improved political and economic situation (relative to what it was in the 1980s). The sixth FY2011 continuing resolution (P.L. 112-6) did not specify an allocation for the

⁴⁸ For more information, see the IFI’s website: <http://internationalfundforireland.com>.

IFI, nor did the final FY2011 continuing resolution (P.L. 112-10, the Department of Defense and Full-Year Continuing Appropriation Act of 2011).

Other Members of Congress have continued to support U.S. funding for the IFI, noting the recent financial woes in Ireland and Northern Ireland, increasing concerns about the possibility of dissident violence, and ongoing sectarian tensions in the region. They point out that in light of these evolved circumstances, the IFI itself has reversed course; recent IFI statements suggest that the IFI will continue functioning for the near term and is hoping for further financial contributions from its donors. Press reports indicate that the British and Irish governments also support the IFI's continuation, as does Northern Ireland's Executive.⁴⁹ Subsequent to the FY2011 budget deliberations, the U.S. Administration allocated \$2.5 million from FY2011 Economic Support Fund (ESF) resources to the IFI in the form of a grant for specific IFI activities that support peace and security in Ireland and Northern Ireland.

For FY2012, the Administration requested \$2.5 million for the IFI in its annual budget request, asserting that "a permanent political settlement in Northern Ireland remains a priority foreign policy goal of the United States" and that "cross-community relations continue to be hampered by a lack of economic development and high unemployment." The FY2012 budget request also noted the increase in sectarian-driven hate crimes and paramilitary-style shootings and assaults in Northern Ireland over the last few years, and that U.S. assistance would seek to counter these negative trends "by addressing the root causes of violence and intolerance."⁵⁰ For similar reasons in its FY2013 and FY2014 budget requests, the Administration also proposed \$2.5 million for the IFI, but as part of its Economic Support Fund request for the Europe and Eurasia region aimed at promoting peace and reconciliation programs.⁵¹ Foreign operations spending measures for FY2012, FY2013, and FY2014, however, did not include a specific allocation for the IFI.

The Administration did not request funding for the IFI in its FY2015 or its FY2016 annual budget requests. U.S. officials assert that the United States continues to strongly support Northern Ireland's efforts to build a vibrant economy and enduring peace. U.S. funding provided between FY2011 and FY2014 enabled the United States to meet an existing \$7.5 million commitment to the IFI's Peace Impact Program, targeting those communities in Ireland and Northern Ireland most prone to dissident recruitment and activity.⁵²

Recent Legislation

H.Res. 233 (Crowley; introduced May 22, 2013, 113th Congress) to honor the Good Friday Agreement (Belfast Agreement), on the 15th anniversary of its ratification, as the framework for lasting peace in Northern Ireland.

⁴⁹ Susan Falvella Garraty, "Gulf Apparent as IFI Goes Another Round," *Irish Echo*, December 22, 2010; Niall Stannage, "U.S. Cuts Plan Puts Ireland Fund Under Pressure," *Irish Times*, February 15, 2011; Ben Pershing, "Funding Irish Group Sparks Earmark Debate," *Washington Post*, May 23, 2011.

⁵⁰ See U.S. Department of State, *FY2012 Congressional Budget Justification for Foreign Operations, Annex: Regional Perspectives*, pp. 497-498, available at <http://www.state.gov/documents/organization/158268.pdf>.

⁵¹ See U.S. Department of State, *FY2013 Congressional Budget Justification for Foreign Operations, Annex: Regional Perspectives*, pp. 505-506, available at <http://www.state.gov/documents/organization/185015.pdf>; and U.S. Department of State, *FY2014 Congressional Budget Justification for Foreign Operations, Annex: Regional Perspectives*, pp. 421-422, available at <http://www.state.gov/documents/organization/208291.pdf>.

⁵² CRS correspondence with the U.S. Agency for International Development, July 2014.

P.L. 112-6 (March 18, 2011, 112th Congress) eliminates funding under “Bilateral Economic Assistance” for the International Fund for Ireland (Sec. 292) as part of the sixth FY2011 continuing resolution (Additional Continuing Appropriations Amendments, 2011).

H.R. 464 (Chaffetz, introduced January 26, 2011, 112th Congress) prohibits U.S. contributions to the International Fund for Ireland, effective FY2012 and subsequent fiscal years.

H.Res. 1252 (Rooney; introduced April 14, 2010, 111th Congress) commends the political leadership in Northern Ireland on reaching the Hillsborough Agreement on policing and justice.

P.L. 111-117 (December 16, 2009, 111th Congress) appropriated \$17 million for the International Fund for Ireland as part of the FY2010 Consolidated Appropriations Act.

P.L. 111-8 (March 11, 2009, 111th Congress) appropriated \$15 million for the International Fund for Ireland as part of the FY2009 Omnibus Appropriations Act.

Author Contact Information

Kristin Archick
Specialist in European Affairs
karchick@crs.loc.gov, 7-2668