



POLITICAL

# Addressing the totality of relationships.

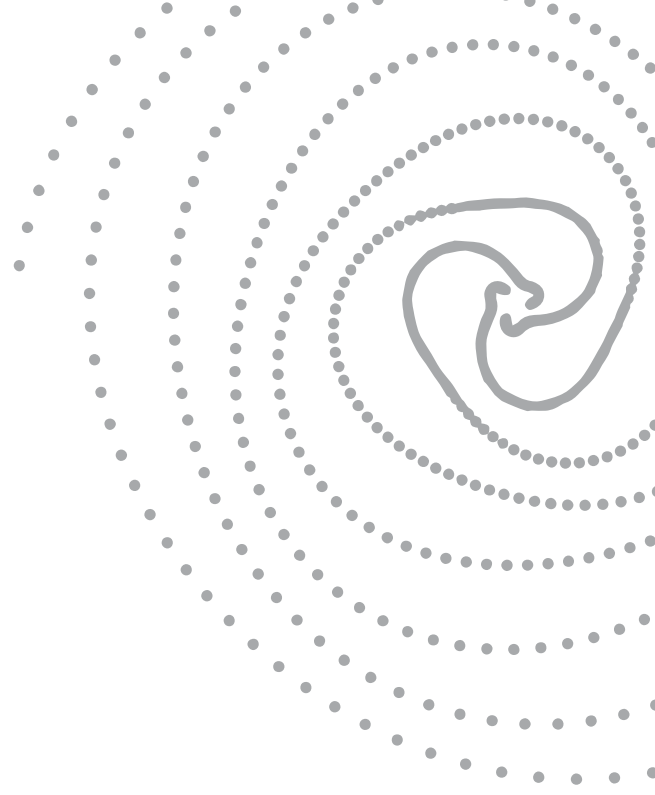
Northern Ireland Peace Process



Funded by  
the European Union



CYPRUS  
DIALOGUE | REPORTS  
FORUM



POLITICAL

# Addressing the totality of relationships.

Northern Ireland Peace Process



Funded by  
the European Union



CYPRUS  
DIALOGUE FORUM  
REPORTS



# Contents

<i>Foreword by Tim O'Connor</i>	<b>I</b>
Introduction	<b>01</b>
Roots of the Conflict	<b>02</b>
Northern Ireland After Partition	<b>06</b>
Building Blocks for the Peace Process: <i>Failed Initiatives</i>	<b>09</b>
Ceasefires and a New Impetus	<b>14</b>
Building Blocks: <i>Procedural Talks and the Opening Plenary</i>	<b>20</b>
Reaching an Agreement: <i>Substantive Talks and Referenda</i>	<b>26</b>
Implementation and the Aftermath	<b>31</b>
Conclusion	<b>35</b>

# Foreword

TIM O'CONNOR

*Senior Member, Irish Government Negotiating Team, Belfast/Good Friday Agreement*

In November 2023, I had the privilege of spending a day in Dublin with a senior Delegation of the Cyprus Dialogue Forum and its Secretariat. For me, as somebody who has been involved in the Northern Ireland Peace Process in some capacity or other for over 40 years, it was a fascinating day of what I call lesson sharing. I say “sharing” because although my ostensible role was to brief the Delegation on the Northern Ireland situation, I personally benefitted greatly from the conversation and learned a lot from hearing about the journey of Cyprus. It brought home to me again that conflict situations around the world often display that combination of similarity and difference. It is a cliché to say that each conflict situation is unique, and in my experience that is true. But I am always struck, as I was again in Dublin last November, by the common features that emerge as one digs deeper into a particular situation.

In reflecting on the day, and on the superb summary of the Northern Ireland Peace Process prepared by the Forum Secretariat for this publication, I feel that three key characteristics stand out in terms of the anatomy of successful conflict resolution.

**Firstly, the importance of leadership in forging accommodation.** At the heart of each conflict is just that – conflict. Conflict in terms of territory, conflict in terms of identity and sovereignty, conflict in terms of security, natural resources and so on. In essence, two or more groupings of people are in effect competing for the title deeds of a particular place. Too often in history, that conflict spills over into armed expression. Conflict *resolution* begins when leaders involved come to the view that an accommodation – i.e. compromise – is the better way forward. That is an easy thing to say, but in practice hugely challenging to achieve.

In the mid-1990s, I was Deputy Secretary of the Forum for Peace and Reconciliation, an entity set up by the Irish Government after the IRA Ceasefire of August 1994, to be a place of dialogue between political parties ahead of formal Peace Negotiations. I recall a memorable visit to the Forum by the recently retired President of South Africa, FW de Klerk, who said that in negotiations the most difficult discussions were not with your adversary across the table but rather with your own side. How true. Meaning that the factory setting for many people in authority in parties to a conflict is to be a Spokesperson for their own side, reinforcing the need to stay strong, brook no compromise and hold out for “victory”. Whereas the true Leaders understand that most likely there is no “victory” available in the absolute sense, and that the only sustainable outcome in terms of the true best interest of their people and of future generations is one involving accommodation and compromise – one in which nobody gets everything they want, but everybody gets something they need. And that a big part of their task as Leaders is convincing their own side of that reality.

We were lucky in our Peace Process in Ireland 30 or so years ago that we had enough people in authority in the various groupings, including at Government level, who understood that difference between being

Leaders and being Spokespersons, and that it was the former that was now needed rather than just the latter. The result was the historic Belfast/Good Friday Agreement, whose benefits we continue to enjoy today and hopefully will long into the future.

Before leaving the subject of leadership, can I add from my perspective as a former Civil Servant and a member of the Irish Government Delegation in the Talks that led to the Agreement, that additional responsibility in conflict situations rests with the political leaderships of sovereign Governments. I saw with my own eyes the critical role played by the political leaders of the two sovereign Governments involved, British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern. They were central figures in ensuring an outcome that was fair and balanced. I also add my admiration for the leaderships of the political parties, each of whom had to make tough decisions at the end in order to secure support for the compromise that emerged.

**Secondly, the need for resilience in a Peace Process.** It is usually the case in conflicts globally that the roots of the situation in question go back long into history. In Ireland, it has become the subject of black humour to talk about “800 years of oppression” when referring to the relationship with our nearest neighbours! I appreciate that it is not a laughing matter, but the truth is one can only explain realities today by virtue of their connection to events and trends dating back generations and indeed centuries. Again, this is superbly brought out in this publication.

It follows, therefore, that resolving conflicts with such deep roots is a marathon not a sprint. In a world of 24-hour news cycles, and with constant demands for instant outcomes, that is not a message that lands easily today. But it is nonetheless the reality. That is why resilience is such a vital feature of a sustainable Peace Process. There needs to be a robustness in the structures and DNA of the Process – including post-agreement – which serves to enable the absorption of the shocks, set-backs, problems and pauses that inevitably take place. If I were to look back at the Belfast/Good Friday Agreement and ask, what did we expect at the time would happen going forward, I think the true answer is we did not know. There had never been an experience in modern history of a successful Agreement that had secured widespread support and acceptance. So, in truth we were not quite sure what success might look like. There was one metric we were all agreed on though – and that was the need to find a way to stop the killing. In terms of that metric, the Agreement has been strongly successful. In other ways, there has been a lot more grey than black and white. I would say that the more optimistic among us thought that with the agreed political structures, there would be a new dynamic around partnership, trust and confidence-building at all levels. The New Beginning talked about in the B/GFA.

But things did not quite work out like that. With the benefit of 26 years of lived experience, I would say now that was an unrealistic expectation. In reality, while violent conflict is hopefully over, the *contestation* at its heart has essentially continued. But now it is a contestation of political ideologies and ideas – that Northern Ireland is still British, that Northern Ireland is on its way to being part of a “New Ireland” etc. The fault lines of history are still intact. But thankfully now there is little or no gunfire across them, and gradually an increasing number of bridges. Most critically, while there have been incidents from time to time, there has been no reversion to the widespread violence of the Troubles.

Thankfully too, despite all the stresses and strains of the last 26 years, most recently as a result of Brexit and what it unleashed in terms of political turbulence within Northern Ireland, on the island and in British-Irish relations, somehow – if occasionally just about – the B/GFA Process has remained intact. It has shown great resilience. That resilience has become an increasingly important factor in ensuring that the line is held on politics as the only way forward, and preventing any momentum towards a slide back

to violence. It is true that paramilitarism remains a worrying legacy in today's Northern Ireland, but there are active measures underway to address that and hopefully they will succeed. But overall, the story is a Process that has found a way to endure and prevail. This publication gives an excellent account of why and how that is the case.

Which brings me to my third and final lesson from my day with the Cyprus Dialogue Forum – **the importance of Process and Institutional Structures**. I begin this section with a negative – good Process and Structures are not a guarantee of success and they will not serve as a substitute for the determined absence of agreement between adversaries. But without them, sustainable success is almost impossible, no matter how much goodwill may prevail. In other words, Process and Institutional Structures are a necessary but not sufficient condition for sustainable peace. An interesting feature of the Northern Ireland Peace Process – and again this is something brought out very well in this publication – is the fact that the Belfast/Good Friday Agreement was the product of cumulative learnings over several failed efforts at a successful outcome. One of my most esteemed colleagues, Noel Dorr, has termed this as “successive approximations”. Which I think is a neat phrase. Broadly, it means that, now paraphrasing Samuel Beckett, each time we failed, we failed better. Each new Process built on the lessons of previous efforts and by the time we reached the negotiations that led to the B/GFA in 1998, we had a whole corpus of well developed concepts and language that we were able to import into the discussions and in some cases the text.

In particular, this could be seen around Process and Structures. As the publication points out, the idea of three Strands to reflect the three key sets of relationships at the heart of the conflict – within Northern Ireland, between North and South on the island and between Ireland and Britain – had been around for some time, originally conceived by Nobel Laureate John Hume. The idea of institutions to express these relationships borrowed strongly from the European model. But lessons were also learned from the past and tweaks made to avoid a repetition of failure.

For instance, it was widely believed that Cross-Border Bodies with executive powers was one of the concepts that brought down the Sunningdale Agreement in 1974, seen as a bridge too far by Unionists. But Nationalists needed an expression of their Irish identity in some institutional form, so the Cross-Border Bodies agreed on Good Friday 1998 were called “Implementation Bodies” – implementing policies which were agreed by a Northern Ireland Administration in which both sides, including the Unionists, had veto powers. Lessons had been learned.

For my own part, I had the privilege to be the inaugural Southern Joint Secretary of the North/South Ministerial Council, established by the B/GFA to oversee Cross-Border Co-operation, including these Cross-Border Implementation Bodies. I had that role from late 1999 to Summer 2005. We were a team of approximately 30 Civil Servants drawn roughly equally from the Northern Ireland and Southern Civil Servants and our task was to ensure the smooth running of the Council. So I saw and lived at first hand the value of a good structure and good process in ensuring that co-operation was implemented and problems overcome. There is no doubt that the robust nature of the structures and the built-in checks and balances helped greatly in that regard. Yes, personal relationships of trust were an important day-to-day factor, but without the structures and processes which had been put in place, based on political legitimacy and agreement, no amount of personal goodwill could have delivered sustained and sustainable outcomes.

There is one final comment I wish to make about Processes and Structures. And that is the importance of preparing them well. This publication brings out very clearly the critical role played by what it terms

the “foundational platform” provided by texts such as the Downing St Declaration of December 1993 and the Framework Document of February 1995. These two Documents were agreed by the two Governments and constituted a shared understanding of the nature of the problem being addressed and the principles and elements a solution would need to contain. I make a point all the time when I am speaking to representatives from other conflict situations – including on that day last November addressing the Cyprus Dialogue Forum – which I sum up in the following question: “how can you hope to agree a sustainable solution without first reaching an agreed definition of the problem you are seeking to solve?”

So that has been the Irish experience. I am delighted to have had this opportunity to participate in some Cyprus-Ireland exchanges. As I said at the outset, I learned a lot from my day with my wise Cypriot friends from both sides! I commend this initiative of the Cyprus Dialogue Forum to present three case studies – South Africa, Bosnia and Northern Ireland. I also commend again the high quality of the Northern Ireland case study and hope that it, together with my Foreword, will be of interest to people of goodwill seeking to advance progress in Cyprus.

If I am given a final word about what to make of the Northern Ireland Process with all its ups and downs and ins and outs, I would say “this is what a real, living Peace Process looks like, in all its messy complexity, 26 years after the Deal”!

*Dublin, Ireland, September 2024*

# Introduction

For many years, Northern Ireland was considered an intractable conflict with territorial, ethnic, and religious aspects. Rather than referring to the peace process as a particular moment in time associated with negotiations to reach an agreement, the parties understand the peace process as the journey leading to the achievement of an agreement, which took place after years of negotiations with the signing of the Belfast / Good Friday Agreement<sup>1</sup>, and the implementation stage of that agreement that continues to this day.

What made the peace process unique was the reframing of the conflict from one focused solely on the territorial status of Northern Ireland to one focused on the three sets of relationships that governed the conflict: (a) the relationship between nationalists/republicans and unionists/loyalists within Northern Ireland; (b) the relationship between the North and South of Ireland and (c) the relationship between the United Kingdom and the Republic of Ireland. It was exactly this framing of the Northern Ireland conflict that became the fundamental core for everything that followed.

## ABBREVIATIONS

Alliance or APNI	: Alliance Party of Northern Ireland	NIWC	: Northern Ireland Women's Coalition
AIA	: Anglo-Irish Agreement (1985)	NI	: Northern Ireland (as of 1920)
AIIC	: Anglo-Irish Intergovernmental Conference established under AIA	NI Forum	: Northern Ireland Forum for Political Dialogue
B/GF-A	: Belfast / Good Friday Agreement	NSMC	: North-South Ministerial Council
BIC	: British-Irish Council	PSNI	: Police Service of Northern Ireland
BIIGC	: British-Irish Intergovernmental Conference	PUP	: Progressive Unionist Party
CBMs	: Confidence-Building Measures	RUC	: Royal Ulster Constabulary
CLMC	: Combined Loyalist Military Command	SDLP	: Social Democratic and Labour Party
DUP	: Democratic Unionist Party	UDA	: Ulster Defence Association
EEC	: European Economic Community	UDP	: Ulster Democratic Party
EU	: European Union	UK	: United Kingdom of Great Britain and Northern Ireland
IBD	: International Body on Decommissioning	UKUP	: UK Unionist Party
IICD	: Independent International Commission on Decommissioning	UUP	: Ulster Unionist Party
IRA	: Irish Republican Army	UVF	: Ulster Volunteer Force

---

<sup>1</sup> The agreement reached is alternatively known as the Good Friday Agreement by the nationalist community or the Belfast Agreement by the unionist community. This article will henceforth use the term Belfast / Good Friday Agreement (B/GF-A).



# Roots of the conflict

*The roots of the conflict in Northern Ireland run deep, spanning centuries of complex historical developments and political upheavals. From the earliest encounters between Celtic peoples and English forces to the Tudor Conquest and the subsequent Plantation of Ulster, the region's history is marked by a series of pivotal events involving the islands of Ireland and Britain that have shaped its social, economic, and political landscape. The fight for independence from British rule in Ireland ignited tensions, culminating in the partition of Ireland into two, with Northern Ireland as a separate political entity within the UK in 1920, and the South establishing its own independent State.*

## THE FIRST ENCOUNTER

The conflict in NI has deep historical roots stretching back centuries. Prior to English involvement in Ireland, the island was inhabited by Celtic peoples, predominantly Gaels, who had established a complex society organised into various kingdoms and clans. These indigenous Irish communities possessed their own unique culture, language, traditions, and political systems. Most of the Celtic population had embraced Catholicism as their religious faith. Since the 12th century, Ireland has experienced a gradual increase in English influence and control. Pope Hadrian IV, the only English Pope, played a significant role by issuing the papal bull known as *Laudabiliter* in 1155 which granted King Henry II of England the authority to invade and govern Ireland. Anglo-Norman knights, invited by Irish chieftains to assist in resolving local disputes, began to establish control over parts of Ireland, particularly in the eastern and southern regions. From the 12th century onwards, English monarchs asserted control over more territories in Ireland, often through military conquests and colonisation efforts.

## THE TUDOR CONQUEST AND THE PLANTATION OF ULSTER

During the 14th century, the extent of English authority in Ireland significantly contracted, with most of the island falling under the control of native Gaelic chieftdoms who were never formally recognized as subjects of the English Crown. The English Crown sought to increase its control and influence in Ireland, especially following periods of unrest or challenges to its authority. To this end, King Henry VIII proclaimed himself as the King of Ireland in 1541, initiating the Tudor Conquest which aimed to consolidate authority, and diminish the influence of Gaelic Irish lords and Anglo-Norman nobles. It is also important to note that it was under the reign of King Henry VIII that the English Reformation, which marked the transition of England from Catholicism to Protestantism, took place. The conquest strategy included various measures such as the imposition of English law and language, and the establishment of Anglican Protestantism as the state religion, accompanied by the suppression of Catholicism and dissolution of monasteries. The Tudor Conquest faced resistance from native Irish lords and Catholic leaders, resulting in numerous rebellions against English rule, all of which were suppressed. By the early years of the 17th century, English rule had been extended across the entirety of Ireland.

In the first decade of the 17th century, the leading Gaelic nobility ruling over territories primarily in Ulster province in the northern part of the island decided to leave Ireland with their families and supporters

and seek refuge in Catholic Europe. The event was also known as the Flight of the Earls, marking the end of the Gaelic aristocracy's resistance to English rule. The land of exiled Gaelic nobility in Ulster were confiscated by the English rulers and awarded to merchant companies in London who developed a settlement scheme, known as the Plantation of Ulster, offering tenancies to English and Scottish settlers or planters who were predominantly Protestant. This scheme significantly altered the demographic composition of the region with a substantial influx of Protestant settlers leading to a minority Catholic population. The settlers viewed themselves as distinct from the native Irish, whom they perceived as posing a threat to their way of life and sought to assert dominance over the Catholic population. Eventually, suspicion and hostility emerged between the indigenous Irish population and the settlers, resulting in sectarian conflict which manifested itself in forms of violence over the course of their intertwined history. Many historians would regard this period as pivotal in terms of understanding the roots of the Troubles in the 20th century.

## **ANNEXATION, NATIONALIST MOVEMENTS AND THE FAMINE**

The 18<sup>th</sup> and 19<sup>th</sup> centuries witnessed events which significantly shaped the subsequent fate of Ireland. During the eighteenth century, Ireland was still a separate kingdom, with a separate Parliament, under the rule of the Kingdom of Great Britain, which was formed by the Acts of Union 1707 with the merger of the Kingdom of England (which included Wales) and the Kingdom of Scotland into a single political entity. The Irish Parliament was at this time dominated by Protestant landowners. Catholic disenfranchisement and discriminatory laws ostracised the majority Catholic population, leading to widespread discontent and resistance. Opposition grew stronger, demanding more self-rule, particularly after the American Revolution, culminating into the Irish Rebellion of 1798 which was suppressed by the British. After this failed revolt, the Act of Union 1800 was passed, annexing the Kingdom of Ireland to the Kingdom of Great Britain to form the United Kingdom of Great Britain and Ireland, abolishing the Irish Parliament and transferring legislative authority to Westminster. The union sparked resistance and bitterness in the Catholic community, igniting nationalist movements and demands for Irish autonomy and independence.

During the 19th century, several nationalist movements emerged in Ireland, including the Repeal Association, the Young Ireland Movement and the Fenian Movement, all of which, though significant in fostering momentum, ultimately proved unsuccessful in achieving self-determination through various means, from constitutional agitation to armed rebellion. In particular, the Home Rule Movement campaigned for the establishment of a devolved Irish parliament within the UK. While not explicitly advocating for full independence, the Home Rule Movement sought to secure greater autonomy and legislative powers for Ireland and gained momentum in the late 19th and early 20th centuries, culminating in the introduction of multiple Home Rule bills in the British Parliament.

The 19<sup>th</sup> century was also marked by the Irish Famine, also known as the Great Famine or the Potato Famine, which occurred between 1845 and 1852 and by its repercussions. The famine led to mass starvation, malnutrition, and disease and it is estimated that over one million people died from starvation and related illnesses. The British government's response to the crisis was criticised for being inadequate and slow, with limited efforts to provide relief to those affected, exacerbating existing tensions and fuelling nationalist sentiments for Irish independence. The famine also prompted millions of Irish people

to seek refuge abroad, with many choosing to emigrate to the United States of America in search of better economic opportunities and relief from poverty and famine. Even before the famine, economic hardship and lack of opportunities, persecution and discrimination of Catholics drove many to seek better prospects in the US. It should be noted that over the centuries of emigration from Ireland to North America, the Irish community there has maintained its identity and formed one of the most effective lobbies in the US. The role of this Irish Diaspora was to prove critical in the unfolding story of 20<sup>th</sup> century Ireland.

## ROAD TO PARTITION

During the 19th century, the Protestant community in Ulster (essentially today's Northern Ireland – and we will call it such for the remainder of this article, although Northern Ireland as a distinct political entity did not formally come into being until 1920) found itself in a favourable position to capitalise on the industrial revolution as they held a disproportionate amount of land and dominated political institutions and governance structures in the region. Rapid industrialization transformed Belfast and its environs, fostering substantial economic growth and the establishment of a wealthy urban middle class. In contrast, Southern Ireland, largely rural and agrarian, fell behind in industrial development. Consequently, the region cultivated distinct social and economic priorities compared to the rest of Ireland, forging strong ties with Britain to sustain its prosperity and its majority status. While the remainder of Ireland sought independence, the Protestant community in the north perceived their social and economic welfare as intertwined with the UK and was prepared to preserve this arrangement. Their political identity formed around unionism, reflecting their commitment to maintaining the union with Britain. While more steadfast unionists are referred to as loyalists, all unionists share allegiance to the British monarch.

The introduction of Home Rule bills in British Parliament triggered a crisis in the north, as unionists vehemently opposed any measure that would result in Irish self-governance. They feared that Home Rule would empower the Catholic-majority population and undermine their political and economic privileges. In 1912, unionists organised the signing of the Ulster Covenant, a petition denouncing Home Rule and pledging to resist it through all available means. With many signing it in their blood, it was clear that this phrase also included violence. To counter the perceived threat of Home Rule, unionists established the Ulster Volunteer Force (UVF), a paramilitary group prepared to take up arms against any effort to implement Home Rule. The British government grappled with how to address unionist opposition to Home Rule while also attempting to satisfy nationalist aspirations for self-governance.

On the other hand, Irish independence movements also began to gather momentum. A pivotal moment was the Easter Rising of 1916, organised by a group of Irish republicans, primarily members of the Irish Republican Brotherhood and the Irish Volunteers, aimed to establish an independent Irish Republic. The uprising lasted for six days, and the British government swiftly moved to suppress the rebellion, including via the execution of 16 of its leaders. Despite its failure, the Easter Rising had a profound impact on the nationalist movement. Originally a moderate nationalist party founded in 1905, Sinn Féin underwent a significant shift in its ideology, particularly after the Easter Rising, becoming strongly associated with the republican movement. In the December 1918 general election, Sinn Féin won a landslide victory, securing the majority of Irish seats.

In January 1919, Sinn Féin declared an independent Irish Republic, prompting a violent response from British authorities. The Irish parliament, Dáil Éireann, was established, but its members operated underground to evade arrest. At the same time, the Irish Republican Army (IRA) waged a guerrilla war against British forces through armed struggle, also known as the Irish War of Independence. In the meantime, the British Parliament passed the Government of Ireland Act 1920, which proposed the creation of two separate parliaments in Ireland: one for Northern Ireland and one for Southern Ireland. The act aimed to address the growing demand for Irish self-government while accommodating the concerns of unionists in Ulster.

The provisions of the Act regarding Southern Ireland were never implemented due to the ongoing war. By 1921, both sides were exhausted from the ongoing war, and peace talks began in London. The negotiations led to the signing of the Anglo-Irish Treaty in December 1921. The treaty recognized Ireland as a self-governing dominion within the British Commonwealth, known as the Irish Free State. The treaty sparked intense debate in Ireland, with supporters arguing that it offered a path to peace and self-governance, while opponents saw it as a betrayal of the republican cause, resulting in the Irish Civil War, also known as the War of the Brothers, between 1922 and 1923. Pro-treaty forces supported the treaty and established the Irish Free State, while anti-treaty forces, supported by the IRA, opposed the treaty and sought to establish a fully independent republic. Despite fierce resistance, including a series of guerrilla attacks and sieges, the anti-treaty side was ultimately defeated by the pro-treaty forces. In 1949, Ireland formally severed its ties with the British Crown and declared itself a republic, the Republic of Ireland, with the new constitution implying a claim to sovereignty over the whole island.

In Northern Ireland, the Government of Ireland Act 1920 was supported by unionists, who were opposed to Irish nationalist aspirations for independence and sought to maintain Northern Ireland's status within the UK. The Act resulted in the creation of Northern Ireland as a separate political entity within the UK (NI), with its own devolved government and parliament. The Parliament was based at Stormont Castle in Belfast and was responsible for legislating on a range of issues, including education, health, and local government, and operated under a system of majority rule, with unionist parties dominating political representation.

# Northern Ireland after partition

*The story of the early decades of NI post-Partition is a complex one involving competing narratives. What is not disputed is that Unionists were in a strong majority – about 65% of the population – and this was reflected in the political and economic life of the region, with Nationalists very much in a minority position, with no role in the governance of NI. This was a deliberate strategy on the part of the Unionist Government in Belfast, as an oft-quoted comment from NI's first Prime Minister, James Craig, in 1934 makes clear – “All I boast is that we are a Protestant Parliament and a Protestant State”. This policy led to widespread, systematic discrimination against Catholics, in terms of voting, housing, employment etc. Despite these unpromising political conditions, there were few outbreaks of violence and during these early decades what could broadly be described as an uneasy peace reigned. In addition to poor relations between the unionist and nationalist communities, there was little or no formal inter-action between the two jurisdictions on the island until the 1960s. By then, the winds of change and protest were blowing around the world – the Civil Rights Movement in the US, the student movement in France etc. and in NI too tensions were escalating. The late 1960s saw the emergence of its own Civil Rights Movement and shortly afterwards a prolonged period of conflict broke out, known as the Troubles, with a surge in political violence.*

## THE TRADITIONS: NATIONALISTS AND REPUBLICANS VS UNIONISTS AND LOYALISTS

The positions of the conflicting parties in NI were clear cut and mutually exclusive: Irish unity or union with Britain. The contrasting aspirations of the “traditions” on the island provided the fault line for ethnic, political and religious conflict.

**Nationalists** were individuals, primarily Catholics, who identified as Irish and sought the reunification of NI with the Republic of Ireland to create a united and independent Irish state. They generally rejected British rule in NI and advocated for self-determination and recognition of Irish national identity. Nationalist political parties, such as the Social Democratic and Labour Party (SDLP), represented their interests. **Republicans** were a subset of nationalists who were often associated with seeking to achieve Irish reunification through armed struggle, usually via paramilitary groups such as the IRA, and opposed British sovereignty in NI. Republican ideology was rooted in the belief in the establishment of a republic encompassing the entire island of Ireland, free from British rule. The republican movement is normally taken to refer to Sinn Féin and the IRA.

**Unionists** were predominantly Protestant individuals who identified as British and supported NI's continued union with the United Kingdom. They opposed Irish reunification and sought to maintain NI's status within the UK. Unionist political parties, such as the Ulster Unionist Party (UUP) and the Democratic Unionist Party (DUP), represented their interests. **Loyalists** were a subset of unionists who were often associated with seeking to defend the union through armed struggle, usually via paramilitary groups, such as the UVF and the Ulster Defence Association (UDA). They staunchly defended NI's union with Britain and were opposed to any concessions to nationalists or republicans. Loyalist ideology was characterised by loyalty to the British Crown and the preservation of British sovereignty in NI.

## FEARS, SIMILARITIES AND DIVIDING LINES

Throughout much of its existence, NI was governed by unionist political parties, which held power and implemented policies that favoured the Protestant-majority population. Unionist governments pursued policies aimed at maintaining the union with Britain and preserving the status quo, often at the expense of the Catholic nationalist minority. On the other hand, for much of the following fifty years since the establishment of the Stormont Parliament, nationalists / republicans did not take their seats as a protest to the discrimination and alienation they felt. Unionism and nationalism have entrenched traditional attitudes, making it challenging to promote more inclusive politics. Class-based politics has garnered little support. Politicians have been reluctant to challenge the status quo as populist sectarian politics has always delivered the votes. As a result, prospects for moderate positions have been limited.

The concept of the 'double minority' provides valuable insight into the persistence of the conflict in NI. Nationalists perceive themselves as a marginalised minority within NI, while unionists recognize their minority status within the island when taken as a whole. This dynamic has led to the development of a siege mentality among unionists. On the other side of the coin, Irish nationalists are also concerned of their minority status within the British Isles when taken as a whole. The conflict fosters fear within each community that they will be undermined and of assimilation by one community into the other. Minor actions are given significant symbolic importance, such as the aggressive display of flags and slogans, and organising marches and parades. The communities lived in close proximity to each other, often in mixed neighbourhoods. During periods of violence, these mixed areas tended to become more homogeneous either through forced expulsion or voluntary withdrawal. Some urban areas show the most overt signs of sectarian tension, often separated by peace walls.

## THE STORMONT ERA: CHALLENGES, CIVIL RIGHTS MOVEMENT AND THE TROUBLES

The fragile balance between the two communities often experienced confrontations due to the demand of nationalists for greater equality and the reunification of the island. Economic challenges, exacerbated by the Great Depression, had an adverse impact on NI's industrial and agricultural sectors. In the 1940s and 1950s, there were campaigns of violence by the IRA. End of World War II prompted the creation of the Welfare State, improving living standards, particularly of the nationalist community. The education reforms in 1947 aimed to address long standing inequalities in education provision and create a more inclusive education system that benefited the nationalist community. In the 1960s, Terence O'Neill, the unionist prime minister, initiated social, education and economic reforms to modernise the region and showed reconciliation efforts to discard some of the traditional sectarian attitudes. However, his efforts faced significant opposition from within his own party and the wider unionist community, ultimately leading to his resignation.

The civil rights movement emerged in the late 1960s, inspired by the civil rights campaigns in the US and elsewhere, on the assumption that NI could become a society where the civil rights of all citizens were protected, and everyone had equal opportunities. The movement sought to challenge the entrenched discrimination and inequality experienced by the nationalists through peaceful protests. However, these were often met with violence and repression from the authorities, particularly the Royal Ulster Constabulary (RUC), which was composed mainly of the members of the Protestant community. Many

unionists were sceptical of the movement; for them, the issue was less about civil rights and more about the perceived threat of losing control to a minority.

The surge in civil rights activism and the response to it culminated into a prolonged period of conflict and political violence known as the Troubles by the early 1970s. The conflict involved republican and loyalist paramilitary groups, as well as British security forces and was characterised by bombings, shootings, riots, and other acts of violence, resulting in over 3,600 people (including civilians) being killed and thousands injured over a period of almost 30 years. One of the most infamous incidents occurred on "Bloody Sunday" in January 1972, when British soldiers opened fire on unarmed civil rights demonstrators in Derry / Londonderry, killing 13 civilians and injuring many others. Furthermore, a series of hunger strikes by republican prisoners, most notably in 1981 when Bobby Sands and nine others died, drew international attention to the issue of political status. These events brought heightened support for the republican cause in the short term.

Up until the mid-1990s, any attempts to find a compromise on the conflict hit a dead end and the paramilitary campaigns and political violence continued. Moderate nationalists, primarily represented by the Social Democratic and Labour Party (SDLP), aimed for a power-sharing arrangement between unionists and nationalists, whereas most unionists viewed nationalists with suspicion. Though many in Ireland sympathised with the nationalists, they felt powerless to effect significant change and feared the spread of instability to their own State. Nonetheless, the attempts to reach an agreement were not in vain as they laid down the groundwork for the future.

## **DIRECT RULE AND EEC MEMBERSHIP**

In the context of NI, direct rule refers to periods when the UK government assumed direct control over governance in NI, rather than devolving powers to a local administration. Direct rule has been implemented on several occasions in NI, particularly during times of political instability or breakdown of power-sharing arrangements. The most notable period of direct rule occurred from 1972 to 1999 which was in response to escalating violence and unrest during the Troubles. The NI Parliament was suspended and the UK government assumed responsibility for governing NI through a Secretary of State for NI.

At around the same time, the UK and Ireland joined the European Economic Community (EEC) in 1973. The prospect of EEC membership provided a framework for promoting political stability and reconciliation, particularly in the context of NI. The EEC was concerned about instability and conflict within its borders, as NI's conflict posed a threat to regional stability, and about the humanitarian strife posed to European citizens. To this end, the "European Parliament Resolution on the Situation in Northern Ireland" (the Haagerup Report) of 1984 recommended greater EEC involvement in promoting power-sharing and intergovernmental cooperation in NI. The European Commission extended substantial financial aid aimed at enhancing living conditions and cultivating a sense of normalcy in NI.

# Building blocks for the peace process: Failed initiatives

*The Sunningdale Agreement of 1973 marked the first significant attempt at power-sharing in NI. Despite initial optimism, the agreement faced vehement opposition from unionist and loyalist factions, leading to its collapse within months. The Anglo-Irish Agreement (AIA), signed in 1985, sought to address the ongoing conflict but encountered further resistance from the unionists. Spearheaded by Secretaries of State for NI Peter Brooke and Patrick Mayhew, the talks held in 1991-92 emerged as a response to the deadlock caused by the resistance to AIA. Despite its failure, the talks laid the groundwork for future peace talks, such as the adoption of the three-strand concept which sought to reframe the conflict and structure negotiations to address the multiple broken relationships involved.*

## THE FIRST ATTEMPT AT POWER-SHARING: THE SUNNINGDALE AGREEMENT (1973)

In March 1973, a UK government White Paper entitled "Northern Ireland Constitutional Proposals" was published which proposed a devolved power-sharing 78-member assembly in NI and a cross-border Council of Ireland. These proposals followed on from a discussion paper that had been issued in October 1972 entitled "The Future of Northern Ireland". In May 1973, the British government enacted the Northern Ireland Assembly Act and held elections to the new NI Assembly where the parties supporting the White Paper won 52 seats whereas those parties against the paper obtained 26 seats. The new assembly met for the first time in July 1973.

In October 1973, the Secretary of State for NI chaired a series of talks at Stormont on the question of forming an Executive to govern NI. The talks involved representatives of UUP and SDLP, largest unionist and nationalist parties, and the Alliance Party of Northern Ireland (APNI or Alliance). Alliance is a party borne by the Troubles, established in 1970, as an alternative to the increasingly sectarian division in NI and did not declare itself Catholic or Protestant, aiming to create a non-sectarian political system for the region. In November 1973, an agreement was reached between various political parties about the establishment of a power-sharing Executive to govern NI which would consist of 11 members (6 unionists, 4 nationalists and 1 Alliance).

For resolving issues surrounding the new NI Executive, the Civil Service Staff College at Sunningdale in England played host to a conference, which was the first occasion since 1925 that the Prime Minister of the UK, the Taoiseach (Irish Prime Minister), and the designate NI government (representatives of UUP, SDLP and Alliance) had attended the same talks on the future of NI. The negotiations focused on the relationship between NI and Ireland and an agreement was reached for the formation of a Council of Ireland, which would consist of a Council of Ministers (comprised of seven members from NI Executive and seven members of the Irish government) which would be afforded with executive functions and a Consultative Assembly (comprised of 15 members from the NI Assembly and 15 members from the Irish Parliament) which would have advisory functions. It was eventually agreed that the executive functions of the Council would be limited to "tourism, conservation, and aspects of animal health". The agreement



also affirmed that the constitutional status of NI can only be changed with the consent of the majority of the people of NI. The NI Executive officially took office on 1 January 1974.

The Agreement drew a great deal of criticism from unionists, loyalists and republicans. Loyalists announced the establishment of the Ulster Army Council, an umbrella group for the main loyalist paramilitary groups (including UDA and UVF) to resist the proposed Council of Ireland. In January 1974, the Council of UUP voted to reject the Council of Ireland leading to the resignation of the leader of the UUP. The opposition from the unionists and loyalists culminated into a general strike of the Ulster Workers' Council in May. The strike was effective, forcing the unionists to withdraw from the NI Executive, effectively marking the collapse of the Sunningdale Agreement and return to direct rule.

## 1985 ANGLO-IRISH AGREEMENT: A STIMULUS?

Whilst violence ensued in NI, a breakthrough in tense relations between the British and Irish governments was achieved via an Anglo-Irish Agreement (AIA). By the 1980s, the relationship between Ireland and the UK experienced a more balanced dynamic, driven in part by their common membership in the EEC. Ireland's economy flourished while Britain's international influence declined from its imperial heights. These shifts significantly influenced British-Irish relations, encouraging both countries to reassess their previous positions and cooperate in seeking solutions to the conflict. Ireland became more proactive in matters related to NI after the Sunningdale Agreement. The government launched a political initiative, the New Ireland Forum, in 1983 to examine and propose solutions to the constitutional issues surrounding NI, bringing together political parties in NI and Ireland, as well as independent members.

The Anglo-Irish Agreement provided a framework for relationship between the British and Irish governments in matters concerning NI, including issues related to security and the promotion of cross-border cooperation. Further, it established the Anglo-Irish Intergovernmental Conference (AIIIC), where representatives from both governments would discuss and coordinate policies affecting NI, thus putting Anglo-Irish relations on an institutional footing. In effect, the Anglo-Irish Agreement gave the Irish government a formal consultative role in the running of NI, although executive authority remained exclusively with the British government. The unionists opposed the agreement, viewing it as a concession to Ireland, and perceived the involvement of Dublin in NI affairs as unwanted interference and a threat to their British identity. The republicans also viewed the Anglo-Irish Agreement as a threat, entrenching partition rather than dismantling it. Many nationalists cautiously welcomed the agreement.

However, the parties came to recognize the need of formulating new strategies amidst increasing pressure from Ireland and the UK. In this context, the Anglo-Irish Agreement may have acted as a stimulus. Unionists found themselves struggling with the gradual erosion of their position, driven also by the demographic shift in NI in favour of Catholics. Republicans began to acknowledge that IRA attacks on Protestant security force members served only to reinforce their dependence on the British state. Faced with limited prospects for electoral success in the absence of a peace strategy, Sinn Féin confronted the need to break out of political isolation and sought to forge a pan-nationalist front to bolster their demands without wholly abandoning the armed struggle. On the other hand, attempts by constitutional parties, such as SDLP, to forge and uphold a political settlement would hit a dead end amid the destabilising influence of paramilitary groups. While the official position was not to negotiate directly with Sinn Féin due to its links with the IRA, it was also inevitable to engage with them in order to

break this vicious cycle. It was the tragic Enniskillen Remembrance Day massacre in November 1987, that served as a catalyst for initiating dialogue between SDLP and Sinn Féin, marking the onset of the peace process. Subsequent to the Enniskillen attack, a growing sentiment emerged that it was time for dialogue though the violence also ensued in the following years.

## **STRUCTURING THE STRUCTURE OF PEACE TALKS: BROOKE-MAYHEW TALKS (1991-1992)**

Contrary to the hopes of Irish and British governments, the Anglo-Irish Agreement (AIA) led to further entrenchment of unionist positions. They launched a bitter campaign against the agreement, refusing to engage with the British government and insisting on its suspension before entering into any negotiations. To overcome this deadlock, Secretaries of State for NI Tom King and Peter Brooke engaged in “talks about talks” with local parties from 1988 to 1991, which the latter primarily focused on accommodating the preconditions of the parties for entering into peace talks.

### **Brooke’s Tenure – Structure of Talks**

The concept of addressing the totality of broken relationships involved in the conflict was devised by John Hume, leader of the SDLP, in the 1980s as a framework for political dialogue on the future of NI. Hume’s emphasis on the three interrelated levels of broken relationships involved in the conflict ((a) relationship within NI; (b) relationship within Ireland (between North and South); and (c) relationship between Ireland and Britain) highlighted the need to address the core problems and root fears that were prolonging the hostility. As such, the introduction of this principle would help to (a) reframe the conflict from a sovereignty/identity dispute to a problem of broken relationships, thereby shaping the solution to address and heal all three relationships; (b) create the conditions for inclusive talks (involving all parties to the relationships); and (c) shape the design and structure of the negotiations to be conducted under three strands: Strand One would deal with the internal relationships within NI; Strand Two would deal with relationship within Ireland (North and South); and Strand Three would deal with the UK-Ireland relationship (East and West).

Many unionists initially viewed the three-strand concept with scepticism, as they were concerned about the extent of Dublin’s involvement in NI affairs. However, over time, some unionist leaders recognized the potential benefits of engaging in discussions under this framework, on the basis that something needed to be done to end the lack of influence of unionism on British policy on NI. The unionists accepted Hume’s proposal in the end, however, they wanted a new set of relationships between Dublin and London that would reduce or eliminate Ireland’s role in NI. On the other hand, Ireland and the nationalists desired to preserve the level of Irish involvement allowed by the Anglo-Irish Agreement, and perhaps to increase it. A further demand from the unionists was for the talks on Strand One to reach a certain point before the talks on Strand Two would start. SDLP and Irish insisted on a prearranged time for the opening of the talks on Strand Two, such as halfway through any agreed pause in the Anglo-Irish Intergovernmental Conference meetings; however, this suggestion was not accepted by the unionists. By July 1990, his initiative was about to be shelved.

The issue stretched into 1991 and to save his initiative, Brooke submitted a position paper to Dublin and NI parties, proposing that he would decide when the talks on Strand Two would begin. The proposal was

an ultimatum – either the parties would agree, or he would end his initiative. The Irish and SDLP's swift acceptance of the proposal forced the hand of the unionists who, after further clarifications, also reluctantly accepted the proposal. Brooke in his speech in the Parliament in March 1991 stated that a basis for formal talks now existed and set out the structure and concepts as summarised below:

- Three-Strand Concept: The talks would follow the three-strand concept.
- Consent Principle: NI's constitutional status will not change without the consent of a majority of its people.
- Nothing will be finally agreed until everything is agreed in the talks as a whole. The outcome must be acceptable to the people.
- Suspension of the Anglo-Irish Intergovernmental Conference (AIIIC): The Irish and British governments would suspend meetings of Conference for a specific period to allow the talks.
- Participation of Unionists: Unionists would participate as members of the UK team on Strand Three talks, provided that they agree to launch all three sets of discussions within weeks of each other.
- Format: Brooke would open the talks with a round of bilateral meetings with the parties and he alone would decide when to move the discussions into the other two strands *within weeks of each other*.

The preliminary round of political talks on procedures and arrangements involving the four main political parties (UUP, DUP, SDLP and Alliance) began on 30 April 1991. Brooke had to make further proposals on the concerns raised by the unionists in regard to the venue for the talks on Strand Two and the independent chairman. Accordingly, the talks would open in London, move to NI for the majority of talks and the plenary would be held in Dublin. The parties also agreed on an independent chairman, Sir Ninian Stephen, a former governor general of Australia.

The political talks on substantive issues began on 17 June 1991 with opening statements from each of the parties. Prospects of a breakthrough however were considered as slim given that a meeting of the Anglo-Irish Intergovernmental Conference was scheduled for the middle of July and one of the unionist preconditions was not to hold peace talks when a meeting of Conference was in progress. To avoid a complete breakdown of negotiations, Brooke announced that this stage of the political talks came to an end 3 July 1991. After some effort, an agreement was reached in March 1992 to restart the process after the forthcoming British election, which was finally scheduled for April 1992. This prolonged break was also attributable to the escalation of violence in the streets.

During Brooke's tenure, a significant departure from previous British government policy was observed. In December 1990, Brooke stated that Britain had "no selfish strategic or economic interest" in NI and would not stand in the way if a majority of its people wished to be part of a united Ireland. Brooke also played a key role in facilitating dialogue between the British government and republican and loyalist paramilitary groups. In November 1989, he delivered a speech in which he admitted that the IRA could not be defeated militarily and that could not rule out talks with Sinn Féin if there was an end to violence. He engaged in behind-the-scenes negotiations aimed at securing ceasefires and advancing the peace process in NI. In November 1993, it was revealed that the British government had been holding a series of secret talks with Sinn Féin since 1991.

## Mayhew's Tenure – Talks on Substance

When the parties returned to the table in April 1992, while the agenda remained the same, the British and Irish delegations had undergone radical changes when they resumed. Sir Patrick Mayhew took over the role of Secretary of State of NI from Peter Brooke following a post-election cabinet reshuffle. As a result of a new government in Dublin, some new faces had also been appointed to the Irish delegation. The talks started on 29 April which typically took place three days a week, with three sessions a day and multiple strands of discussion on different aspects of the agenda. Despite the change in faces, talks on Strand One soon reached a deadlock in June and work began on Strands Two and Three. Each participant would deliver an opening proposal. Each in turn would have to defend that proposal in cross-examination and all parties could submit new documents at the end of that phase, which would also permit and require responses from each. By mid-1992, unionists shifted approach, agreeing to talk with Irish officials under Strand Two. Despite these developments, there was no real progress by November 1992, and unionists withdrew from the political talks, due to the restart of the work of the secretariat of the Anglo-Irish Intergovernmental Conference. As such, Mayhew decided to terminate the negotiations on 10 November 1992.

## Returns of the Process

Although the process ended without a successful outcome, a basis had been laid for future discussions. When all-party talks resumed later between 1996 and 1998, the three strands concept along with the provision that “nothing would be agreed until everything was agreed” were employed. Under Strand One, common themes and principles which would underlie any new political structure were identified. Under Strand Two, fundamental aspects of relationships within the island of Ireland, and of the realities underlying them, including constitutional issues and questions of identity and allegiance, the scope for enhanced co-operation in the social, economic, and security fields, and the nature of the structures which might best serve such cooperation were discussed for the first time. Under Strand Three, possible principles for a new and more broadly based Dublin-London agreement and possible intergovernmental arrangements were identified. Most, if not all, elements crucial to a prospective settlement were thoroughly discussed, fostering a comprehensive understanding of each party's positions. In addition, historic exchanges took place as Irish ministers travelled to Stormont for talks without facing protests on site while the UUP leadership went to Dublin for talks, marking a first since 1922. One must also consider that during most of this period, there was an ongoing campaign of violence by republican and loyalist paramilitaries.

# Ceasefires and a new impetus

*In 1993, Britain and Ireland outlined a commitment to comprehensive negotiations involving all stakeholders, offering an opening to Sinn Féin and signalling a recognition of their political aspirations. This shift in approach paved the way for subsequent republican and loyalist ceasefires in 1994. However, disagreements over decommissioning stalled the beginning of the negotiations. To break the deadlock, a twin-track approach focusing on political talks and decommissioning was introduced. This was followed by (a) formation of the International Body on Decommissioning, chaired by US Senator Mitchell; and (b) the establishment and election of the NI Forum, out of whose members the political parties would form their negotiating teams for multi-party talks.*

## THE DOWNING STREET DECLARATION: BRINGING REPUBLICANS TO TABLE

The Joint Declaration on Peace, also known as the Downing Street Declaration, was issued on 15 December 1993 by the British Prime Minister, John Major, and the Taoiseach of Ireland, Albert Reynolds. The declaration emerged from months of confidential talks between the British and Irish governments, as well as engagement with political parties in NI. In the declaration, Major repeated the view that the British government had no selfish strategic or economic interest in NI but was interested in seeing an agreement among all the people of the island. He committed to work with Dublin to achieve an agreement which would embrace the totality of relationships. On the other hand, Reynolds confirmed that, in the event of an overall settlement, the Irish government would propose a change in the Irish Constitution to fully reflect the principle of consent in NI; in other words, a commitment not to unite the two parts of the island without the consent of the majority of the people of NI. Major and Reynolds added that the two governments would work with NI parties to create institutions and structures respecting the diversity of the people of Ireland, while enabling them to work together in all areas of common interest. These structures would also include institutions to reflect the links between Britain and Ireland as part of the totality of relationships.

The declaration challenged the whole rationale of continuing the armed struggle for Sinn Féin and the IRA because it represented a significant acknowledgment of their political aspirations (self-determination and principle of consent) by the British government. In an opening to Sinn Féin, the two leaders indicated that parties which ended all violence and committed to exclusively peaceful methods would be free to participate in the democratic dialogue to follow between the two governments and NI political parties. The declaration signalled a recognition of their demand for Irish reunification and their right to pursue it through peaceful and democratic means.

## IRA AND LOYALIST CEASEFIRES

The views of the leadership of Sinn Féin on violence and political dialogue evolved over time and played a central role in securing an IRA ceasefire. Adams was elected as the president of the party in 1983 and gradually changed the party's focus towards political activism and engagement. Since then, the power

balance in Sinn Féin between those advocating armed struggle and those advocating reunifying Ireland politically have steadily shifted in favour of the latter. A more pronounced action was when in 1988, Hume and Adams launched secret talks. Hume was motivated by the possibility of drawing republicans away from armed conflict and towards a peaceful and democratic dialogue that included all relevant key actors. The Hume-Adams talks were made public when the leaders issued a joint statement in April 1993, noting the need to find a solution that deals with all the relationships at the heart of the problem. Both noted the right to self-determination of the Irish people but also that a new agreement was only achievable if it enjoyed the allegiance of the different traditions on the island. A second joint statement in September outlined their initiative for a peace process that involved all parties and was designed to lead to agreement among the divided people of the island, while respecting the diversity of the different traditions.

By 1994, there was mounting pressure on the IRA to end its campaign of violence. The Downing Street Declaration offered a path to political engagement if violence was renounced. A key factor was the strong relationship of trust between Irish Taoiseach Albert Reynolds and UK Prime Minister John Major, who knew each other well from their time as respective Heads of their Finance Ministries. Albert Reynolds saw that securing an IRA ceasefire was a critical step on the road to negotiations and a settlement. In January 1994, the broadcasting ban on Sinn Féin Ireland was lifted and Bill Clinton, who became US President in January 1993 with strong Irish-American backing, and who was to become a pivotal player in the evolving peace process, ordered that Adams be given a visa to enter the US to address a peace conference. In August 1994, Mayhew held a secret meeting with Adams and Martin McGuinness, the Vice-President of Sinn Féin. All these developments increased pressure on the IRA to declare a ceasefire. On 31 August 1994, following intense negotiations between and pressure from the British and Irish governments with additional encouragement from the US government, the IRA announced a complete cessation of military activities. As a sign of sealing the ceasefire, Reynolds, Hume and Adams publicly shook hands following a meeting in Dublin on 6 September. Following the IRA ceasefire, the Irish government set up the Forum for Peace and Reconciliation, which also included Sinn Féin. A number of closed border roads between North and South were opened. Sinn Féin held a meeting with the Northern Ireland Office, representing the British government.

With the announcement of the ceasefire by the IRA, the loyalist paramilitary groups were the focus of attention. Since the early 1990s, these groups were operating under an umbrella body, the Combined Loyalist Military Command (CLMC), which consisted of UDA, UVF and the Red Hand Commando. Members of CLMC included figures from these paramilitary groups, as well as representatives from loyalist political parties, the Ulster Democratic Party (UDP) and Progressive Unionist Party (PUP). After pressure from political leaders and international actors, and a recognition of the futility of continued violence and with the IRA ceasing its activities, CLMC declared a ceasefire on 13 October 1994.

## THE FRAMEWORK DOCUMENTS AND THE JOINT COMMUNIQUE

By 1995, even though ceasefires were in place, no agreement had been reached about the basis for all-party talks. As a starting point for discussion, the British and Irish governments released Framework Documents in February 1995, reflecting a shared understanding of the problems being addressed and on the parameters of a possible solution as a way to help the peace process move forward (Taoiseach

Reynolds was replaced by John Bruton in December 1994). Part I, *A Framework for Accountable Government in Northern Ireland*, was produced by the UK government; Part II, *A New Framework for Agreement*, was a joint paper by the UK and Irish governments which offered proposals for relationships (a) within the island of Ireland and (b) between the UK and Ireland.

Part I proposed a NI Assembly of about 90 members elected for a fixed 4- or 5-year term via a form of proportional representation; a system of assembly committees to oversee the work of NI departments; and legislative and executive responsibility over a wide range of subjects with scope for further transfers from the UK. Controversial legislation would require a form of weighted majority or threshold approval. Part II outlined a shared understanding between the UK and Irish governments on key underlying issues that required addressing and committed them and political parties to agreeing interlocking and mutually supportive institutions (structures in NI, North/South institutions, and East-West structures). Additionally, the UK government has confirmed that it will amend or replace the Government of Ireland Act 1920, while the Irish government has reiterated its intention to amend its constitution. All in all, the greatest significance of the Framework Document was that it situated any developing political process within an agenda agreed jointly by the two governments.

Any momentum gained by the Framework Documents, however, slowed down when the issue of decommissioning was raised by the British. During a visit to Washington in March 1995, Mayhew listed three preconditions for the involvement of republicans into substantive negotiations: (a) to demonstrate a willingness in principle to disarm; (b) to come to an understanding on the practicalities of decommissioning; and most importantly, (c) actual decommissioning of some arms in advance of round-table talks. These conditions later became known as “Washington 3”. The last condition was rejected outright by Sinn Féin, leading to a deadlock. The move was interpreted as an effort by the British Prime Minister to appease unionist sentiment so as to maintain a narrow Conservative majority in the British parliament.

To overcome the long impasse, the British and Irish leaders released a Joint Communiqué in November 1995 which set out a twin-track initiative designed to make parallel progress on (a) all-party talks; and (b) decommissioning:

- (a) Political Track: The two governments agreed to invite parties to preparatory talks on the basis, participation, structure, format and agenda of substantive negotiations that would address in a comprehensive manner all the relevant relationships in an interlocking three-strand process. These talks will have an open agenda, allowing any party to raise any relevant matters in relation to the structure and format of all-party negotiations. They referred to the option of an elected body playing a part in all-party talks.
- (b) Decommissioning Track: The two governments have agreed to establish an international body to provide an independent assessment of the decommissioning issue. The body would be chaired by former US Senator George Mitchell, who at the time was appointed by President Clinton as his special economic adviser on Ireland, and the body would be responsible for (i) identifying and advising on a suitable and acceptable method for full and verifiable decommissioning; and (ii) reporting whether there is a clear commitment on the part of those in possession of such arms to work constructively to achieve that.

The process was given a boost when Bill Clinton visited NI on 30 November. This was a highly symbolic event as it was the first time that a sitting US President had visited the region and this was seen as a strong endorsement of the peace process.

To close this section, a word about the importance of these various documents – the Downing Street Declaration, the Framework Documents etc. – must be said: They fulfilled a very important role in the subsequent negotiations providing a kind of foundational platform of already worked up concepts and thinking. The Downing Street Declaration, for instance, sets out the basic principles that would need to underpin a pathway away from conflict and down a democratic, entirely political journey. The Framework Document agreed between the two governments in February 1995 was particularly critical as a shared understanding between them on the nature of the problem being addressed in negotiations in its various dimensions and the elements that a sustainable agreement would need to contain. Subsequently, in the talks that led to the Belfast/Good Friday Agreement (B/GF-A) this shared thinking and the concepts involved within it constituted in effect a solid foundation upon which agreement could be built.

## **DECOMMISSIONING TRACK: REPORT OF THE INTERNATIONAL BODY ON DECOMMISSIONING**

The International Body on Decommissioning (IBD), chaired by Mitchell, published its first report on 24 January 1996. In preparing the report, IBD heard orally and in writing from dozens of government officials, political leaders, church officials and representatives of other organisations and institutions, and members of the public. Mitchell noted in his report that decommissioning was a symptom of the absence of trust, steeped in history. He added that a lasting peace requires reconciliation with those who have caused suffering.

Before moving on to examine the questions put to them, the International Body on Decommissioning outlined the principles which the participants in all-party negotiations should affirm their total and absolute commitment to: (a) democratic and exclusively peaceful means of resolving political issues; (b) the total disarmament of all paramilitary organisations; (c) agree that such disarmament must be verifiable to the satisfaction of an independent commission; (d) renounce for themselves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations; (e) agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree; and, (f) urge that 'punishment' killings and beatings stop and to take effective steps to prevent such actions. These became to be known as the "Mitchell Principles" and were later adopted by all parties as a test for entry into the talks.

For the first question (identifying and advising on a suitable and acceptable method for full and verifiable decommissioning), the International Body on Decommissioning outlined guidelines on the modalities of decommissioning. As such, decommissioning process should (a) suggest neither victory nor defeat; (b) take place to the satisfaction of an independent commission; (c) result in the complete destruction of armaments in a manner that contributes to public safety; (d) be fully verifiable; (e) not expose individuals to prosecution; (f) be mutual. In relation to the second question (reporting whether there is a clear commitment on the part of those in possession of such arms to work constructively to achieve full and



verifiable decommissioning), IBD concluded that there was a clear commitment as part of the process of all-party negotiations; but that commitment did not include decommissioning *prior* to such negotiations. After weighing both sides' arguments, IBD invited parties to consider an approach under which *some* decommissioning would take place *during* the process of all-party negotiations, rather than before or after, as a compromise. Lastly, IBD concluded that other confidence-building measures (CBMs) were needed, such as an end to targeting of potential victims by the paramilitaries, information on missing persons and the return of those previously intimidated out of their homes. Most importantly, IBD suggested that a broadly acceptable elective process, with an appropriate mandate and within the three-strand structure, could contribute to the building of confidence.

Mitchell's recommendations were mostly accepted by the British government and by the UUP, which now had a new leader in office, David Trimble. However, Major had cherry picked from the report the Mitchell Principles and the idea of election, refusing to accept the suggestion of the report on the timing of decommissioning. He insisted for the paramilitaries to make a start to decommissioning *before* all-party negotiations which was the very reason why the process came to a halt. Further, if the decommissioning would not take place, he argued that securing a democratic mandate for all-party negotiations through elections offered a viable alternative for securing the confidence necessary to bring about all-party negotiations. In essence, the election would be the entry mechanism to the negotiations.

Major's decisions provoked concern among numerous Irish nationalists, with Sinn Féin expressing particular dismay, despite their persistent call for inclusive negotiations. There was a perception that the Conservative government was reliant on UUP to sustain its slim majority in the House of Commons. Consequently, Sinn Féin widely held the belief that the recommendations outlined in Mitchell's report had been disregarded. In addition, since the ceasefire, the IRA believed that the Major government was either unwilling or incapable of addressing its concerns. This sentiment strengthened with these developments, prompting the IRA to terminate its ceasefire on 9 February. In response to the renewed violence perpetrated by the IRA, both the British and Irish governments chose to suspend communication with Sinn Féin.

## POLITICAL TRACK: ELECTIONS AND THE FORUM

The full attention was now turned to the political track given that the decommissioning track was still in a deadlock. In a Joint Communique on 28 February, Major and Bruton announced that they set 10<sup>th</sup> of June as the date for the start of all-party talks and that they would launch intensive consultations between the NI political parties to devise the elective process. After series of consultations, the British Parliament passed the Northern Ireland (Entry to Negotiations, etc) Act 1996 (the 1996 Act) and set the format of the elections and the structure and functions of a forum, which would later be officially known as the Northern Ireland Forum for Political Dialogue (NI Forum).

In relation to the elections, the 1996 Act provided for five delegates to be elected from each of the 18 constituencies, plus an extra 20 delegates for NI as a whole (two from each of the ten parties with the largest vote), amounting to a total of 110 delegates. The voters would cast a single vote for the party of their choice on the ballot paper and party representatives would be elected in each constituency in proportion to a party's vote.

The delegates would constitute the NI Forum, which would run in parallel with the negotiations, but with no power to intervene in them. The NI Forum would meet on a regular basis on days when the negotiations were not in session and its purpose would be to promote dialogue and mutual understanding on issues relevant to relationships within NI. The NI Forum would not have any legislative, executive or administrative function; but solely a deliberative function. The duration of the NI Forum would be for twelve months after the election, subject to a power for the Secretary of State to extend its life by up to a further twelve months.

Successful parties that won seats in the NI Forum would then be invited to nominate representatives, among the delegates, to the negotiations. However, any such invitation would be at the discretion of the Secretary of State of NI, a proviso essentially aimed at keeping those parties involved in violence out of the negotiations. The British and Irish governments have published ground rules for substantive all-party negotiations (the basis, participation, structure, format and agenda) on 15 March.

Elections were held on 30 May 1996, with a 65% turnout. The seats of the NI Forum were distributed as follows: UUP (30), SDLP (21), DUP (24), Sinn Féin (17), Alliance (7) and UK Unionist Party (UKUP) (3). In addition, PUP, UDP, North Ireland Women's Coalition (NIWC), and Labour Coalition were also given 2 seats each for being within the ten parties polling the most votes, allowing increased representation for smaller parties. NIWC was founded in 1996 by Catholic academic Monica McWilliams and Protestant social worker Pearl Sagar and the main purpose of the non-sectarian party was for women to have a say in the peace process, given the lack of gender-balanced party lists for the elections. On the other hand, PUP and UDP were small parties with links to loyalist paramilitary groups. Just as Sinn Féin was in the republican camp, getting loyalist support for the peace agreement through these parties was fundamental for any chance of success. The Labour Coalition was a coalition of labour and socialist groups and it was important that trade unionism was also represented in the negotiations.

This broad level of inclusivity gave voice to multiple constituencies and concerns. It also by its very nature would increase the sense of ownership of the outcome of the talks. The multi-party nature of the negotiations were in keeping with the likely composition of any newly-elected institutions that were expected to comprise more than just the two big parties.

# Building blocks: Procedural talks and the opening plenary

*The multi-party talks which led to the signing of B/GF-A in April 1998 started in June 1996. There were challenges to progress – negotiations at first focused on procedural rules, and the structure of the talks. The process gained momentum with the involvement of new leadership in Britain (Tony Blair) and Ireland (Bertie Ahern), which facilitated the establishment of IICD, the adoption of procedural rules and comprehensive agenda for substantive negotiations under three strands, and the IRA's restoration of a ceasefire, paving the way for Sinn Féin's participation in the talks.*

## A ROCKY START: PROCEDURAL DISPUTES

On 10 June 1996, the first session of the multi-party negotiations was held at Stormont, with the exception of Sinn Féin which was not invited due to the resumed IRA violence – both governments required the unequivocal restoration of the ceasefire of August 1994. The NI Forum also met for the first time on 14 June 1996 in Belfast and Sinn Féin declined to take part due to their policy of not taking seats. It was a rocky start – the unionist parties were dissatisfied that the British and Irish governments had established ground rules and appointed three independent chairs without consulting them. UUP, DUP, and UKUP rejected both the ground rules and the appointment of former US Senator George Mitchell as the senior independent chair. Eventually, the two governments agreed that the parties to the process would negotiate and agree upon the procedural rules themselves. Therefore, the negotiations initially focused on the procedural and not substantive points.

The discussions revolved around various key points, including the mandate of the independent chairs, the parties' rights to raise issues without facing veto, the principle of involving parties associated with paramilitary groups on ceasefire, whether decommissioning would be a prerequisite for Sinn Féin's participation, and the establishment of a mechanism to reach decisions in cases where consensus was unattainable. During these initial negotiations, there were no established rules in place, yet Mitchell smoothly oversaw the negotiations with the trust and confidence of all parties involved. For the negotiations on procedural rules, any decision would be adopted only if there was “sufficient consensus” i.e. the agreement of a majority of representatives of each community, unionist and nationalist.

After almost two months of negotiations, the rules of procedure for the negotiations (RoP) were agreed on 29 July. The adoption of rules marked a more significant milestone than initially acknowledged. It came after a tumultuous summer marked by crises surrounding Orange Order parades, leading to the SDLP's resignation from the NI Forum. With this development, the negotiations went into a summer break.

# AN OVERVIEW OF THE PROCEDURAL RULES

## Structure of the Negotiations and Participation

The reframing of the conflict from a sovereignty/identity dispute to an issue of broken relationships under three different strands formed the basis of the negotiation structure since the Brooke/Mayhew talks in 1991-92. According to the Rule 3 of the Rules of Procedure, negotiations would be organised in five “formats”: Plenary, Strand One, Strand Two, Strand Three, and a Business Committee.

- *Strand One* would cover the relationships within NI, including the relationship between any new institutions there and the Westminster Parliament. Negotiations would involve the British Government and the political parties in NI. The British Government would chair the negotiations. Negotiations would take place in Castle Buildings, Belfast.
- *Strand Two* would cover relationships within the island of Ireland. Mitchell, General de Chastelain and Holkeri would jointly chair the negotiations. Negotiations would take place in Belfast, Dublin and London, at times agreed by the Business Committee.
- *Strand Three* would cover relationships between the British and Irish Government. Negotiations would be between the two governments. Both governments would jointly chair the negotiations and determine where the meetings would take place.

These three formats were key as they provided for a structure of negotiations that ensured that the *totality* of relationships and *all issues* were addressed and that *all relevant actors* were represented on the *relevant Strand*.

Senator Mitchell would chair the Plenary; General de Chastelain would chair the Business Committee; and Prime Minister Holkeri would be the alternate chairman for the Plenary, Strand Two and the Business Committee. Except for Strand One and Three, negotiations in all other formats would involve the two governments and the political parties in NI. In relation to Strand One, the British Government would keep the Irish government informed and report on the status, as determined by the Strand One participants, of the negotiations under this format. In relation to Strand Three, for the purpose of keeping the political parties in NI informed and consulted, the two governments would also (a) ensure regular meetings at which the political parties (involving up to three members of the negotiating team of each political party) would be briefed and, as appropriate, consulted on progress in the negotiations and at which they would be able to put forward their views on Strand Three issues; and (b) meet the political parties at their request for further discussion of Strand Three issues. Each political party also had the right to confer with either or both governments on issues under discussion and advance its own views, orally or in writing.

Under Rule 5 of the Rules of Procedure, provision was also made for establishment of other committees and subcommittees. Sub-committees tasked with considering: (a) arrangements for decommissioning; and (b) CBMs such as treatment of prisoners, equality of opportunities, culture and language, economic development and human rights, were eventually established. The delegation of some of the most difficult and emotive issues to the sub-committees was not by chance. It served to separate from the main strands, the topics that participants would find most challenging to work together on. It was in these two

sub-committees where final arrangements were often not made, but reserved for later action, post-solution.

The Business Committee would comprise up to two representatives of each delegation and would coordinate the progress and procedures of the negotiations, primarily addressing unresolved procedural issues. The Business Committee would advise the chairmen on the day-to-day exercise of their responsibilities and to facilitate communication between the delegations and the chairmen. The Business Committee would determine the venue of its own meetings.

## Sequence of Negotiations

The negotiations would have an Opening Plenary. Following the conclusion of this, Rule 11 of the Rules of Procedure dictates that the appropriate Chairmen will convene the meetings of the negotiations within the three strands on the same day and proceed in parallel, as opposed to sequentially. Although the strands were “interlocking”, they effectively operated independently of each other and progress in one did not depend on progress in the other. This design element helped the participants to focus on their area alone without concerning themselves too much with the progress in other strands and allowed for flexibility and compromise, as the participants on each strand focused on reaching agreement within their strand. The idea was that all the components would then be brought together in a final, comprehensive agreement. As per Rule 36 of Rules of Procedure, the negotiations would proceed on the principle that nothing would be finally agreed in any form until everything was agreed in the negotiations as a whole.

## Agenda Setting

According to Rule 17 of Rules of Procedure, the negotiations in the various formats would be on the basis of the comprehensive agenda for the negotiations as a whole, adopted by agreement in the Opening Plenary. Participants had the right, by agreement, to develop or refine the comprehensive agenda. There was to be no veto right over any participant’s right to raise any significant issue of concern to them and to receive a fair hearing for those concerns. According to Rule 19 of Rules of Procedure, the agenda for each meeting of the negotiations would be settled by the participants on the basis of proposals put forward by the chairman in accordance with the overall agenda in the relevant format and taking into account the advice of the Business Committee.

## Mitchell Principles

All parties represented at the talks agreed to the Mitchell Principles. Rule 29 of the Rules of Procedure also provided for securing compliance with the Mitchell Principles throughout the process. Accordingly, if, during the negotiations, a formal representation was made to the independent chairmen that a participant is no longer entitled to participate on the grounds that they have demonstrably dishonoured the principles of democracy and non-violence as set forth by the Mitchell Principles, this will be circulated by the chairmen to all participants and will be subject to appropriate action by the two governments, having due regard to the views of the participants.

## Decision-Making – Sufficient Consensus

Rule 30 of the Rules of Procedure provides that the default position for decision-making was unanimity as the negotiations would operate on the basis of consensus. However, where there was no unanimity, the chairman had a discretion to follow all or either of these routes: (a) consult with the participants, with a view to putting forward a solution that he believes will secure agreement; and/or, (b) invite the participants to set up a broadly representative working group, including nominees of both governments (or of the British Government alone in the case of Strand One issues); and/or, (c) obtain the agreement of the participants to refer the matter to an agreed group of experts for advice, requesting a report within an agreed specified period. If, however, these routes proved futile and there still was no unanimity, the chairman had a discretion to propose that negotiations proceed on the basis that the proposition has been approved by *sufficient consensus*.

The formula was inspired by the one utilised in the South Africa negotiations. Sufficient consensus would be used for all decisions taken in any of the five formats. Rule 34 of the Rules of Procedure purports that a proposition would be deemed to have sufficient consensus if supported by participating political parties which:

- (a) taken together, have obtained a majority of the votes in the last election in NI and
- (b) between them represent a majority of both the unionist and nationalist communities in NI respectively and
- (c) also constitute a majority of the participating political parties.

With the exception of Strand One, both British and Irish governments must endorse the particular proposition for it to be deemed to have sufficient consensus. Where it would not prove possible to achieve either unanimity or sufficient consensus, the chairman would work, in consultation with the participants, to remove obstacles to the reaching of agreement, or, with the agreement of the participants, may decide to move on to the next item on the agenda.

## THE OPENING PLENARY

After a summer break, the talks resumed on 9 September. The Opening Plenary was still in session (three strands were still not utilised) and the talks were focused on the issue of decommissioning, linked with the IRA violence and the potential of Sein Fein's participation in the talks, and further procedural arrangements. The Opening Plenary was taking place in a chamber, where the tables were arranged as a large square. The two governments and the independent chairs sat across the top side of the square. For the political parties, the seating plan was arranged alphabetically, and they were given the opportunity to submit their cases via a microphone in the same order. The larger political parties were given three negotiating seats each, the smaller parties two negotiating seats each, with all parties entitled to three people in support. Each of the two governments was represented by three negotiating seats and five people in support. The three independent chairs were also assisted by a staff of five persons each, with civil service notetakers also working under their supervision. All these resulted in large meetings. However, it was not the size of the meetings which hindered progress.

The unionists insisted that substantive negotiations could only begin when they were satisfied on the issue of decommissioning. Progress in the talks was slow during the early months of 1997, frequently eclipsed by instances of IRA violence. The parties were also wary of a potential change in the UK government in the upcoming elections in May 1997. On 5 March, the talks were adjourned until 3 June for the Easter break and to allow the parties to contest the forthcoming general election in the UK.

## **NEW WIND: BLAIR AND AHERN / IRA CEASEFIRE**

The general election in the UK took place on 1 May 1997 and the Labour Party were elected to power, securing a significant majority in Westminster. Tony Blair, then leader of the Labour Party, became the Prime Minister and Marjorie (Mo) Mowlam was appointed as the Secretary of State for NI. On 26 June 1997, Fianna Fáil's leader Bertie Ahern became the new Taoiseach in Ireland. Both energised with strong leadership, the election of a strong Labour government in Britain and a Fianna Fail government in Ireland, in coalition with the Progressive Democrats Party, led by Mary Hareny, injected a fresh air in the peace process.

On May 16, Blair made a significant visit to Belfast, delivering a decisive speech reaffirming his government's dedication to the peace talks while also assuring the preservation of the union, which bolstered the loyalist ceasefire. Simultaneously, Blair moved to involve Sinn Féin in the political process by announcing that government officials would engage with Sinn Féin representatives. He proposed an independent investigation into Bloody Sunday, which also became to be known as the Saville Inquiry. On the other hand, Adams and McGuinness were elected to Westminster, and Sinn Féin secured a seat in the Irish Parliament, enhancing the party's political credibility. In July 1997, Hume and Adams issued another joint statement emphasising that the only path to a just and lasting peace was through inclusive negotiations. Following an evaluation of the political landscape, the IRA declared a complete cessation of military operations as of 20 July 1997. Sinn Féin's entry into the talks in September was contingent upon a six-week period demonstrating the IRA's commitment to the ceasefire. Mowlam eventually announced that the latest IRA ceasefire had been sufficiently well observed for Sinn Féin, who signed the Mitchell Principles on 9 September, to join the multi party talks at Stormont. The talks resumed on 15 September but DUP and UKUP walked away from the negotiations and the NI Forum. UUP, UDP, and PUP re-joined the talks after a week of deliberation. This became a permanent split within the unionist camp for the rest of the peace process.

## **REMOVING OBSTACLES TO SUBSTANTIVE TALKS: DECOMMISSIONING AND CBMS**

The issue of decommissioning of arms remained a major topic of contention which hindered progress of the talks. Back in February 1997, the parliaments of Ireland and the UK passed laws on decommissioning (the Decommissioning Act, 1997 in Ireland and the Northern Ireland Arms Decommissioning Act 1997 in the UK) and both laws referred to a commission to be established by agreement between the two governments. After the elections, the British and Irish governments issued the Document on Decommissioning on 25 June to pave way for a breakthrough. The proposals drew heavily from the report of the International Body on Decommissioning which recommended that the

issue of decommissioning should be addressed concurrently with substantive political negotiations. It was proposed that this could be accomplished by establishing an independent commission tasked with facilitating, observing, monitoring, and verifying decommissioning efforts. Concurrently, it was proposed that there should be two sub-committees of the Plenary dealing with decommissioning and with developments in relation to other CBMs respectively. On 26 August, an agreement on Independent International Commission on Decommissioning (IICD) was signed between the two governments, establishing IICD whose objective would be to facilitate the decommissioning of arms in accordance with the report of the International Body on Decommissioning. General John de Chastelain was appointed as the chairman of IICD.

On 24 September, a Procedural Motion was adopted, formally ending the Opening Plenary after over a year and launching substantive negotiations under three strands. By this motion, the Plenary welcomed the establishment of IICD and committed to work constructively to enable it to carry out its role. More importantly, the Plenary agreed to establish two sub-committees which would be comprised of all the participants in the negotiations, report regularly to the Plenary and be chaired by the chairman of the Plenary:

- Liaison Sub-Committee on Decommissioning: Assisting the implementation of all aspects of decommissioning as set out in the report of IBD.
- Liaison Sub-Committee on CBMs: Assisting the implementation of all aspects of the report of IBD relating to the further CBMs.

The Procedural Motion also adopted a comprehensive agenda for the negotiations (jointly proposed by UUP, SDLP and Alliance) and launched the three-stranded negotiations.



# Reaching an agreement: substantive talks and referenda

*The negotiations on substantive issues were initiated in autumn 1997 amidst a backdrop of escalating violence. To assist the process, the British and Irish governments proposed heads of agreement. Employing various strategies, parties conducted intense negotiations within the deadline set by Mitchell and ultimately reached an agreement on 10 April 1998. The agreement necessitated approval through referenda in both NI and Ireland.*

## SUBSTANTIVE TALKS BEGIN

Negotiations began on substantive issues formally on 7 October. Talks on the three strands were held in parallel. The chairs adopted a coordinated approach: Gathering once a week for each Strand, each agenda item was considered in turn. Parties were encouraged to submit papers outlining their positions on relevant agenda items which were then discussed without delving deeply into the issues. This process, often referred to as "surfing the agenda", made little substantive progress. Discussions often focused more on areas of disagreement rather than areas of potential compromise. However, it did represent a step forward in the negotiation process, as parties began to understand the "red lines" of others towards particular issues. The format of the negotiations was also examined, with parties recognizing the limitations of large group sessions. In the end, a smaller Plenary sub-group format was introduced, comprising two representatives from each party, and a separate room, adjacent to the main conference room, was allocated for this more compact format.

However, efforts to produce a comprehensive list of key issues and format, which would facilitate detailed negotiations in the forthcoming year, fell short before the Christmas recess. Though in December, the Sinn Féin leadership met with Blair, marking the first such meeting between a Sinn Féin leader and British Prime Minister in three quarters of a century, unionists declined direct engagement with Sinn Féin, opting instead for Dayton-like proximity talks. Both unionist and republican camps experienced internal divisions on whether to continue the talks. It is believed there were tensions within the republican movement on policy and tactics. In particular, UUP was placed under considerable pressure from the unionist camp as a large group of its members were calling for withdrawal from the talks. Added to this internal pressure was a more vibrant external opposition from Paisley's DUP and UKUP, both of which have already abandoned the process. On 23 December, the multi-party talks adjourned for the Christmas holiday without substantial progress being made.

## SPIKE IN VIOLENCE

The failure to agree on a roadmap coincided with the resurgence of paramilitary activity and sectarian killings. Not abiding by the IRA or CLMC ceasefires, loyalist (such as the Loyalist Volunteer Force) and republican (such as the Irish National Liberation Army, Continuity IRA or Real IRA) splinter groups continued to perpetrate violence. UDP faced expulsion from the negotiations due to violence

perpetrated by a closely associated loyalist paramilitary group, which constituted a breach of Mitchell Principles. Likewise, Sinn Féin encountered expulsion when police intelligence implicated the IRA in two killings in Belfast. Although both expulsions were short-lived and both parties returned to the table, the suspensions exacerbated tensions within the negotiations. After over three years of minimal violence, there was a noticeable surge in the number of fatalities and violent attacks during the early part of 1998. This served as a stark reminder of the constraints within which a political settlement could be achieved, leading to place considerable pressure on the already fragile negotiation process.

## **TWO GOVERNMENTS PUSH: PROPOSITIONS ON HEADS OF AGREEMENT**

After the Christmas break, the negotiations continued on 12 January 1998. To help move the parties closer together, the British and Irish governments issued a joint paper on the parameters of the negotiations, titled “Propositions on Heads of Agreement”, based on the views of the parties in the talks. It referred to the potential institutions that could be created in each strand of the talks, the constitutional changes that could be enacted by Britain and Ireland based on the principle of consent, provisions on human, social, economic and cultural rights, as well as practical measures to deal with prisoners, security, policing and decommissioning. Two weeks later, the two governments issued another set of documents on the proposed nature of cross-border institutions. The documents referred to North-South structures and East-West structures and posed questions to be discussed on.

During this phase, the negotiations focused on these papers and the smaller negotiation format was employed, with only two assistants permitted to support each pair of representatives per party. Parties put forward their various proposals and delved into each other's proposals, seeking further clarification or offering explanations for their reservations or objections.

## **CROSSING THE FINISH LINE**

As the talks focused on substance, long-standing fears from the two traditions surfaced, such as potential unionist domination of new power-sharing structures, or North-South bodies acting as a Trojan horse for an all-Ireland Parliament. By the end of March, Mitchell declared 9 April 1998 as the deadline for talks, with or without an agreement. This declaration had the effect of creating momentum, and with the deadline looming, parties began to focus on issues that had not been thoroughly addressed in the negotiations thus far. Most parties engaged in extensive public relations efforts during this period, contributing to the impression of entrenched positions. Within the SDLP, an informal “homework club” emerged, where a small group of party members convened to discuss options, evaluate them against party requirements and those of other parties, refine them for better acceptability and feasibility, and even develop alternative versions to have ready for the final negotiations.

On 6 April, Mitchell gave the parties his version of a possible draft agreement based on the talks to date. Negotiations intensified with all-night sessions. The North/South elements of this provoked a strongly negative reaction within the UUP and the talks were plunged into crisis. The talks passed the 9 April deadline and continued through the night and into the morning of Friday, 10 April – Good Friday. A compromise was worked out on Strand Two and the UUP and the SDLP reached agreement on the

nature of Strand One institutions. The issues covered under CBMs were the most sensitive remaining questions and took up a lot of time and energy. Intense bilateral contacts were held in the presence of the British and Irish leaders. The Clinton administration also played an important role at this moment, as Clinton personally also put in phone calls to various party leaders. Blair provided a written letter to the UUP's Trimble in the final moments, assuring him that Britain would intervene in the new power-sharing structure if the IRA failed to decommission its arms. Critically, Trimble accepted this as meeting the needs of the situation and when Mitchell called a plenary session of the negotiating parties at around 5pm on Good Friday, they reached a final and historic agreement on peace.

## **DISTINCT FEATURES OF THE BELFAST / GOOD FRIDAY AGREEMENT (B/GF-A)**

The B/GF-A comprised a number of sections dealing with the key issues addressed in the negotiations. It opened with a Preamble, called a Declaration of Support, setting out the philosophy behind the agreement and with each participant affirming their "total and absolute commitment to exclusively democratic and peaceful means of resolving differences and political issues". Other sections included the following:

### **Constitutional Issues**

This section set out the terms of agreement reached between the two Governments and the parties on constitutional matters, including how self-determination in Ireland was to be framed and exercised, including in regard to the status of NI. The principle of consent was key in that respect. The trade-off between the definition of self-determination and consent was a critical element of the whole negotiations. It was adopted early on by both British and Irish governments and its importance worked in two ways. It provided a safeguard for unionists and loyalists, in that NI could never become a part of Ireland without majority approval of the people of NI, neither through force of arms nor through a concession made by Britain. For nationalists and republicans, it made clear that the key unit of self-determination was the people of Ireland as a whole, and that it was for the people of the island of Ireland, mediated via the principle of consent in regard to NI, to decide the future. The agreement acknowledged that, based on the principle of consent, it was currently the wish of a majority of the people of NI for it to remain part of the UK. But the agreement also made clear that if in that future, a majority in NI opted for a united Ireland, the two Governments would make provision for this to happen. In other words, a possible formal pathway, based on persuasion and entirely peaceful, political and democratic means was formally opened up for a united Ireland. This section of the agreement also made clear that whichever government held sovereignty in NI under the principle of consent, that sovereignty would be exercised with rigorous impartiality as between the identity, ethos and aspirations of both communities. Taken in the round, this represented a careful and fair balance as between the perspectives of both communities on the critical constitutional questions and served as a foundation for the rest of the agreement.

## Creation of Institutions under Three Strands

The agreement provided for the establishment of institutions linked to each Strand covered in the negotiations:

- *Strand One* dealt with democratic institutions within NI and established the NI Assembly and the NI Executive, to make laws and decisions on devolved matters.
- *Strand Two* dealt with cooperation structures for the island of Ireland (north and south) and established the North South Ministerial Council (NSMC) and the North-South Implementation Bodies.
- *Strand Three* established the British-Irish Council (BIC) and the British-Irish Intergovernmental Conference (BIIGC) which both support cooperation between the UK and Ireland.

## Comprehensive Settlement / Constructive Ambiguity

The parties to the conflict agreed on the need to tackle all issues plaguing the three sets of relationships. However, the “comprehensive” agreement they produced only contained around 34 pages of text. The concise nature of B/GF-A is no accident. The B/GF-A addressed the broad range of key issues raised by the parties, but it did not seek the final word on all issues. The agreement was just the beginning of the journey; where the search for agreement on an issue threatened to collapse the process, a provision was included committing the parties to explore and resolve the issue later, usually through the establishment of a commission or institution for that purpose.

This was also achieved through employing vague or ambiguous language deliberately to allow all parties to interpret the agreement in a manner that is favourable to their own interests. This ambiguity helped bridge differences between parties with conflicting viewpoints by allowing each side to save face or maintain flexibility without explicitly conceding or compromising on core positions, thereby facilitating consensus-building and reducing the risk of deadlock.

## Review

There was also explicit provision in the B/GF-A, allowing for a review of institutional arrangements and procedures if needed to improve their operation. This gave participants confidence that they could develop the agreement further, as opposed to being stuck with an agreement frozen in time, regardless of developments on the ground. The concept of review protected the sustainability of the B/GF-A and allowed for supplementary negotiations to take place when parties reached a stalemate on implementation or functionality. Subsequent agreements developed components of the B/GF-A while remaining within the spirit and core provisions of the agreement.

## Validation by the People

A critical feature of the B/GF-A was that its terms would be put to the people of NI and Ireland in simultaneous referenda to be held on the same day. If passed by both, this would serve to give its terms

and irrefutable political legitimacy. This feature had not been part of any previous agreements between the two governments and was seen as a defining part of the B/GF-A.

## All-Island Referenda

From the parties invited to multi-party talks, DUP and UKUP, joined by dissenting UUP members, stood firmly in the “no” camp. The others supported the agreement, including Sinn Féin, which was ready to end its 77-year policy of abstaining from taking up seats in British and NI institutions. Despite Sinn Féin’s support, the IRA did not make any commitment on the timing of decommissioning. Both the British and Irish governments passed legislation preparing the ground for institutional changes in the event the double referenda pass. Trimble and Hume campaigned together at a U2 concert in Belfast.

The British and Irish governments committed to organising the simultaneous referenda in NI and in Ireland provided for in the B/GF-A and these were held on 22 May 1998. The NI referendum was held to approve the agreement reached in multi-party negotiations. The purpose of the Irish referendum was to approve the British-Irish Agreement and amend the constitution in accordance with it. The turnout in NI was 81%, with 71% of the votes in favour of the agreement. From the “yes” vote, only a slim majority of unionists and loyalists supported the agreement, while most of the nationalists and republicans gave it overwhelming support. On the other hand, the turnout in Ireland was 56%, with 94% of the votes in favour of the amendment to the constitution.

# Implementation and the aftermath

*Following the agreement, a dynamic implementation phase unfolded, marked by diverse contributions from various parties amidst ongoing challenges. Cooperation structures envisaged by B/GF-A, such as NSMC and BIC, played vital roles in fostering cross-border collaboration across governance levels.*

## INSTITUTIONS UNDER THREE STRANDS

The institutions established under B/GF-A played crucial roles in implementing the peace process, promoting reconciliation, and addressing the complex political and social dynamics in NI. Shared institutions were not part of a common goal of all nationalists and unionists. They were the product of compromise, but also smart structuring of the different elements of the peace process.

### Strand One: NI Assembly and NI Executive

NI Assembly and NI Executive were structured under B/GF-A to facilitate power-sharing between nationalists and unionists. What is important to capture from the functioning of both these structures is that safeguards and checks and balances were incorporated within B/GF-A to ensure cross community participation so that both communities could participate and work together, that no one community could dominate over the other and that both communities were protected.

NI Assembly is the legislative body, responsible for making laws on devolved matters. NI Assembly operates on a power-sharing basis between nationalist and unionist parties, with the First Minister and Deputy First Minister elected jointly by the largest parties from each community designation. The B/GF-A set out four areas where cross-community consent was required (including electing the joint heads of the Executive) but left other issues to be designated later. It also provided for a “Petition of Concern” to be triggered by a significant minority of the NI Assembly regarding a decision, which would then require cross-community consent. The B/GF-A set out two options for cross-community consent: (a) *parallel consent* meaning a majority of those present and voting, including majorities of unionists and nationalists present and voting; (b) a weighted majority (60%) of members present and voting, including at least 40% of each of the nationalist and unionist designations present and voting.

NI Executive is the devolved government, headed by the First Minister and Deputy First Minister, who are chosen jointly by the largest parties from each community designation in NI Assembly. The composition of the NI Executive is a 10-member committee of ministers that is defined by the numerical strength (d'Hondt System) of each party in the NI Assembly and ensures the participation of both communities. The Office of the First Minister and Deputy First Minister is a joint cross-community office represented by the two largest parties where decisions are based on consent.

## Strand Two (North-South): North-South Ministerial Council (NSMC) and North-South Implementation Bodies

NSMC is an institution established to facilitate cooperation between Ireland and NI. NSMC has the mandate to facilitate cooperation in areas formally outlined in the B/GF-A. There are 12 defined areas of work in which 6 represent policy areas (on health, education, agriculture, environment, transport and tourism) and the remaining 6 are implemented through cross-border implementation bodies. Like all other institutions established with the agreement, NSMC has been set up in a way in which it can still evolve. For instance, while formal cooperation is limited to the areas set out in the agreement it is possible to expand these with a joint (both Ireland and NI) ministerial decision.

Among the most important structures within NSMC is the Joint Secretariat. The Joint Secretariat works under the same roof and is co-headed by senior civil servants from the North and South (appointed as Joint Secretaries), and a team of staff from members of the NI civil service and the Irish civil service who work jointly to oversee the implementation of cooperation efforts. Even in cases where NSMC is not functioning because of the absence of an executive in the North, the Joint Secretariat maintains the work on cooperation based on the existing approved programme of work. The Joint Secretariat is therefore critical to the continuation of cooperation and for safeguarding and shielding the continuation of work from the ups and downs of the political process, acting as a safety net.

NSMC provides policy direction and oversees the work of the 6 North-South Implementation Bodies. These include (a) Waterways; (b) Food Safety Promotion Board; (c) Intertrade Ireland; (d) Special EU Programmes Body; (e) Language body; and (f) the Lough Agency. The Implementation Bodies operate on an all-island basis, and under the overall policy direction of NSMC, with clear accountability lines back to NSMC and to the legislatures in North and South. They are staffed by a combination of civil servants and directly recruited staff and are set up as public bodies.

Implementation Bodies are funded both by North and South, but this is not done on a 50:50 basis. For each body the criteria to define the proportion of funding is set based on the perceived benefits to each jurisdiction e.g. the Lough Agency (marine fisheries) is funded 50:50 by North and South while Intertrade Ireland is funded 25:75 respectively.

## Strand Three (East-West): The British-Irish Council (BIC) and the British-Irish Intergovernmental Conference (BIIGC)

The British-Irish Council (BIC) is a key institution established under Strand Three and has a broad membership including all the devolved administrations of the UK (including the NI Assembly), and the Irish government. It promotes positive, practical relationships among the people of its members and offers a forum for consultation and cooperation. The current work programme of Council focuses on collaboration in areas of mutual interest such as drugs, environment, transport, social inclusion, demography, digital inclusion, energy, and housing. Meanwhile, NI civil servants can still attend Council even when there is no government in Stormont, although they are not permitted to speak at the meetings.

The British-Irish Intergovernmental Conference (BIIGC) is another institution set up under Strand Three and provides a framework for dialogue and cooperation between the British and Irish governments on matters of mutual concern, particularly those affecting NI. The conference discusses issues such as

security, justice, and human rights. The meetings were suspended after 2007 but recommenced after 2018.

## IMPLEMENTATION PERIOD: A DYNAMIC PROCESS

The implementation period of B/GF-A could be characterised by a complex interplay of achievements, challenges, and setbacks. As described above, the establishment of the institutions under each Strand represented a significant achievement, providing a framework for inclusive politics in NI and cross-border cooperation between NI and Ireland and between British and Irish governments. Despite initial challenges, progress was made on decommissioning paramilitary weapons, albeit gradually. IRA and UVF announced the completion of their decommissioning process in 2005 and 2009, respectively. In 2001, the new Police Service of Northern Ireland (PSNI) was established, replacing the Protestant-dominated RUC. In the meantime, DUP and Sinn Féin saw their popularity rise considerably in the years following B/GF-A, overtaking UUP and SDLP as leaders of the unionist and nationalist traditions, respectively. On the other hand, there were also periodic suspensions of NI Assembly and NI Executive, over issues like lack of progress in decommissioning and spying revelations (between 2002 and 2007), the "cash-for-ash" scandal (between 2017 and 2020) and Brexit (between 2022 and February 2024). There are still aspects of the B/GF-A that have yet to be implemented as envisaged. Under Strand One, B/GF-A provided for the establishment of a Civic Forum in NI, which would involve representatives from civil society, community groups, and non-governmental organisations. While it was established for a period, it was later abolished, and efforts to revive or reconstitute it have not been successful. Under Strand Two, a North-South Consultative Forum, representative of civil society, was envisaged but did not materialise. B/GF-A included a commitment to consider the incorporation of a Bill of Rights for NI into domestic law, but disagreements persist over the content and scope of such a bill.

What is critical to note, however, is that B/GF-A included provisions for review. The agreement was not the end of the road but the beginning – the parties engaged in further negotiations to improve the elements of the agreement, with the basic provisions of the original agreement remaining intact. St. Andrews Agreement signed in 2006 addressed issues regarding power-sharing, leading to the establishment of a timetable for devolution of policing and justice powers from the UK Parliament to the NI Assembly. Hillsborough Castle Agreement reached in 2010 built upon the St. Andrews Agreement and focused on resolving outstanding issues related to policing and justice. Stormont House Agreement in 2014 aimed to address outstanding issues related to flags, parades, and dealing with the legacy of the Troubles in NI. In 2015, the Fresh Start Agreement was reached to address issues including paramilitarism, institutional reform, and budgetary matters. In 2020, New Decade, New Approach Agreement addressed issues including governance, health, education, and legacy issues.

Furthermore, what sheltered the implementation of B/GF-A from political turmoil (collapse of government, inability to form the NI Executive) and what continues to sustain the implementation of the agreement are the structures set up through B/GF-A. Some of the biggest sources of dispute in implementation generally came from areas where the B/GF-A did not institutionalise structures of cooperation but instead either deferred the issue to external commissions (disarmament, policing) or simply highlighted that something should be done (Bill of Rights, language, symbols, and emblems – particularly those connected with highly charged annual parades). Areas where cooperation became institutionalised by and large played out differently. Even if political paralysis led to the institutions being suspended at the highest level (joint executive heads or ministers), relationships, cooperation and



actions continued to evolve at lower levels. The result was a complex, slow but ultimately functioning mechanism – even in cases where there was no government. The government (civil service) continued to offer services and the country continues to function independent of political ups and downs. This continuity can be seen to be largely based on the principles and philosophy of the B/GF-A.

# Conclusion

The peace process in NI represents a complex and ongoing endeavour to overcome deep-seated divisions and build a more inclusive and peaceful society. The process involved extensive and inclusive negotiations among political parties, governments, and stakeholders representing different communities in NI. Despite the experience to date, the parties have yet to find a consistent rhythm to maintaining cross-community consent on power sharing and avoiding deadlock, although at the time of writing, the Executive and Assembly have been restored after the most recent suspension. During the suspensions, each of the largest groupings has used political protest to block power sharing in Stormont. The specific circumstances that led to this complex structure of power sharing are unique to NI, as is the political system in place. It would be reasonable to say that from its inception, the NI Assembly and other interlocking institutions have been on a rocky road of start-stop-start again. Most recently, Brexit has posed significant challenges to peace and stability in NI due to its potential to disrupt the delicate balance established by the B/GF-A – although, as just mentioned, a way through the impasse created by Brexit was found in early 2024.

There is an ongoing effort to maintain peace and meet the challenges of implementation through continuous review and negotiation. The B/GF-A itself created provisions for such an aftercare service. B/GF-A still stands and has survived numerous opportunities to shatter into tiny pieces. The sporadic outbursts of sectarian violence by fringe groups have failed to set the spark that would plunge the region back into armed conflict, fear, retribution, and turmoil, although there is wide agreement that there are no grounds for complacency. Challenges come and go, but the train is still on the tracks. Twenty-six years after its inception, the B/GF-A has proven itself to be a robust and resilient construct. Key in that regard is the fact that it has the endorsement in referenda of the people of both parts of the island – and the widespread acceptance, tacit or otherwise, that its checks and balances are broadly fair, and that any viable alternative was unlikely to look very much different.

# Bibliography

## BOOKS, JOURNALS, PERIODICALS

Mansergh, M. (1999). The early stages of the Irish peace process. In C. McCartney (Ed.), Striking a balance: The Northern Ireland peace process (Accord, Issue 8) (updated in 2003) (pp. 20–25). Conciliation Resources. [URL Link.](#)

Duncan, M. (1999). The negotiations in practice. In C. McCartney (Ed.), Striking a balance: The Northern Ireland peace process (Accord, Issue 8) (updated in 2003) (pp. 36–43). Conciliation Resources. [URL Link.](#)

O'Grady, J. P. (2001). Forcing the Question of Northern Ireland: The Brooke-Mayhew Talks, 1990-1992. New Hibernia Review / Iris Éireannach Nua, 5(4), 73–92. [URL Link.](#)

Joint Committee on the Implementation of the Good Friday Agreement. (2023, March 28). Lessons from the architects of the Good Friday Agreement. Oireachtas. [URL Link.](#)

Hancock, L. E. (2008). The Northern Irish peace process: From top to bottom. International Studies Review, 10(2), 203–238.

## USEFUL WEBSITES

CAIN Archive - Conflict and Politics in Northern Ireland - [URL Link](#) (The website provides a detailed chronology of the events and serves as an archive, offering a collection of documents, texts of the agreements, information, and source materials related to 'the Troubles' and the political landscape of Northern Ireland.)



This publication was funded by the European Union. Its contents are the sole responsibility of the Cyprus Dialogue Forum and do not necessarily reflect the views of the European Union.



CYPRUS  
**DIALOGUE**  
FORUM