



*BRITISH-IRISH
PARLIAMENTARY
ASSEMBLY*



**COMHLAUGHT IDIR-PHARLAIMINTEACH NA
BREATAINE AGUS NA hÉIREANN**

REPORT

from

Committee A (Sovereign Matters)

on

**The Implementation of the Good Friday/Belfast and St.
Andrews Agreements.**

Introduction

1. In May 2012, Committee A (Sovereign Matters) of the British-Irish Parliamentary Assembly agreed to conduct an inquiry into the implementation of the Good Friday/Belfast Agreement and the St. Andrews Agreement.
2. Throughout 2013, the Committee held a series of meetings, including with the Tánaiste and Minister for Foreign Affairs, Eamon Gilmore TD, Secretary of State for Northern Ireland, Theresa Villiers MP, the Joint Secretaries of the British Irish Intergovernmental Secretariat, the British-Irish Council Secretariat, and the North South Ministerial Council Joint Secretariat. The Committee also held meetings with the Chief Constable of the PSNI, Matt Baggott, members of the Parades Commission, the Joint Oireachtas Committee on the Implementation of the Good Friday Agreement, officials from the Irish Government, the Northern Ireland Office and the Northern Ireland Executive, community representatives and members of the Northern Ireland political parties. A written submission from the SDLP was also received.
3. This report is intended to be a stock-take of progress to date on the implementation of both the Good Friday/Belfast and St. Andrews Agreements, and sets out to identify outstanding issues and consider recommendations for further action.
4. The members of Committee A would like to thank all the witnesses who participated in the inquiry for their time and contribution to this inquiry.
5. **The Committee believes that the two Agreements have had a significant and transformative effect on security, politics, economic and social opportunity on this island and in Northern Ireland most particularly. They came about as a result of a sustained effort over a number of years by the British and Irish Governments and the Northern Ireland parties. Taken together the Agreements set out the guiding principles for peace, stability and reconciliation in Northern Ireland namely, power-sharing; agreement on sovereignty; human rights; parity of esteem; support for the rule of law and for the devolved institutions; and the continued shared responsibility of the two governments to act as guarantors of the Agreements.**
6. **However, the Committee believes that the full potential of the Good Friday/Belfast and St Andrews Agreements has yet to be reached. As is the case in any comprehensive political agreement, implementation of all provisions is essential to the integrity and balance of the whole. Therefore, the Committee calls on all parties to the Agreements to maintain momentum to ensure that all outstanding provisions are implemented in their totality.**

Good Friday/Belfast Agreement Obligations

7. The Good Friday/Belfast Agreement is made up of two inter-related documents, both agreed in Belfast on Good Friday, 10 April 1998: a multi-party agreement by most of Northern Ireland's political parties; and an international agreement between the British and Irish governments (the British-Irish Agreement).

Constitutional Issues

8. The Irish Government agreed to enact legislation to provide for the amendment of Articles 2, 3 and 29 of the Constitution.¹ The Constitution of Ireland was amended by referendum, having obtained a large majority of votes,² on the 22nd May 1998, to include the agreed amendments.
9. Simultaneously, a referendum also took place on the Good Friday/Belfast Agreement in Northern Ireland. The referendum produced a majority of 71.1% of voters in favour of the Agreement.
10. Under the terms of the Good Friday Agreement, the British government agreed to enact legislation to allow the Secretary of State to hold a poll to provide for Northern Ireland to form part of united Ireland at any time it seems likely to them that a majority of those voting in Northern Ireland would express such a wish.³ The Secretary of State's power to hold such a poll was provided for by the Northern Ireland Act 1998.

Strand One: Democratic Institutions in Northern Ireland

The Northern Ireland Assembly

11. It was agreed by the parties that a Northern Ireland Assembly was to be established to exercise devolved legislative powers over broad areas of social and economic policy (which had been within responsibility of six NI Government Departments at the time of Agreement).⁴ The Assembly was elected on 25 June 1998 under the terms of the Northern Ireland (Elections) Act 1998 and first met on 1 July 1998.

¹ The texts of the amendments are found in Annex B of the *Constitutional Issues* section of the Agreement.

² The referendum was passed in Ireland with a majority of 94.4% voting yes to the proposed amendments. The simultaneous Northern Ireland Referendum produced a Yes majority of 71.1% in favour of the Good Friday Agreement.

³ Schedule 1, Annex A, Constitutional Issues, Good Friday/Belfast Agreement.

⁴ Paras 1-4, Strand One, Good Friday/Belfast Agreement.

12. The Northern Ireland Assembly consists of 108 elected Members - six from each of the 18 Westminster constituencies. Its role is primarily to scrutinise and make decisions on the issues dealt with by Executive Departments and to consider and make legislation. The Northern Ireland Act 1998 and the St. Andrews Agreement Act, as well as the Assembly standing orders, are the core documents to which the Assembly adheres on a day to day basis.
13. The devolved institutions have been suspended, and direct rule restored, a number of times since the current inception of the Assembly, the most notable being the period from 14 October 2002 to 8 May 2007. Devolution was restored to Northern Ireland at that time following intense negotiations leading to the St. Andrews Agreement. Since 8 May 2007, devolution has operated without interruption. Policing and justice powers were devolved on 12 April 2010, following the Hillsborough Agreement.

The Northern Ireland Executive

14. The Agreement further stipulated that executive authority was to be discharged on behalf of the Assembly by a First Minister and deputy First Minister, and up to ten Ministers. The First Minister and deputy First Minister were to be jointly elected by the Assembly and the posts of Ministers allocated to parties on a d'Hondt basis.⁵ Designates for First and deputy First Minister were appointed on 1 July 1998. A full Executive was nominated on 29 November 1999 and took office on 2 December 1999. The current Executive was formed on 16 May 2011 with Peter Robinson of the DUP as the First Minister, and Martin McGuinness of Sinn Féin as the deputy First Minister.
15. An Assembly and Executive Review Committee was established under the Northern Ireland Act 1998 to review matters relating to the functioning of the Assembly and the Executive and reports periodically on a range of work areas.

The Northern Ireland Civil Service

16. The work of the Northern Ireland Assembly and Executive is supported by the Northern Ireland Civil Service.

The Northern Ireland Office

17. While not an institution established by the Good Friday/Belfast Agreement, the Northern Ireland Office, headed at political level by the Secretary of State for Northern Ireland, is crucial to supporting devolution in Northern Ireland and represents Northern Ireland

⁵ Paras 14-25, Strand One, Good Friday/Belfast Agreement.

interests within the UK Government. It also represents the UK Government in Northern Ireland and works with the Northern Ireland Executive, and the Irish Government, in support of a stable and prosperous Northern Ireland. It has a key role in four priority areas: growing and rebalancing the NI economy, pursuing the ‘Shared Future’ agenda in NI, supporting the Good Friday/Belfast Agreement institutions, and dealing with threats to national security.

Civic Forum

18. Strand One of the Good Friday/Belfast Agreement also provided for the establishment of a Civic Forum, comprising representatives of the business, trade union and voluntary sectors, to act as a consultative mechanism on social, economic and cultural issues.⁶ The Northern Ireland Act 1998 required the First Minister and deputy First Minister, with the approval of the Assembly, to make arrangements for obtaining the views of the Civic Forum referred to in the Agreement.

19. The Civic Forum met in Plenary 12 times between October 2000 and October 2002, when the political institutions were suspended. The Forum has not met since October 2002.⁷ This Committee heard many submissions in the course of this inquiry relating to the lack of a strong, working Civic Forum, as agreed to by the Parties. While the Northern Ireland Assembly has voted to recall the Civic Forum, this has yet to happen. The Committee heard that a Civic Forum would provide for a broad range of voices on community relations and stimulate informed public debate in relation to key societal challenges. The Committee also heard from a number of groups and individuals who are concerned that the Forum has not met since October 2002.

20. The Committee recommends that the political parties in Northern Ireland make every effort to bring the Civic Forum back into operation, and notes that this power rests, in the first instance, with the Northern Ireland Assembly. The Committee believes it is essential to harness the strength of civic society to strengthen democratic accountability and to provide positive challenge to government.

Strand Two: North/South Cooperation

The North/South Ministerial Council

21. The Agreement set out the establishment of a North/South Ministerial Council to bring together those with executive responsibilities in Northern Ireland and the Irish

⁶ Para 34, Strand One, Good Friday/Belfast Agreement.

⁷ Northern Ireland Assembly Research and Information Service Research Paper on the Civic Forum, 5 September 2013.

Government, to develop consultation, cooperation and action within the island of Ireland.⁸ There has been intensive engagement on Strand Two of the Agreement between the Northern Ireland Executive and Irish government with over 100 sectoral meetings having taken place since devolution was restored. This represents substantial political commitment on both sides. Cooperation is underway on a range of practical areas such as research funding, road safety and health.

22. The Agreement stipulated that the Council was to meet in different formats: (i) in plenary format twice a year, (ii) in specific sectoral formats on regular basis, with each side represented by appropriate Minister, (iii) in appropriate format to consider institutional or cross-sectoral matters.⁹ The Committee heard, during the course of its inquiry, that engagement across all the stated formats is intensive and productive. At the most recent NSMC Plenary meeting, on 8 November 2013, discussions covered a wide range of financial, economic and EU matters, including the actions being undertaken to help support economic recovery, the importance of attracting Foreign Direct Investment and ensuring adequate access to credit within the banking sector in each jurisdiction. The Committee notes that it heard that a perceived lack of access to adequate credit is a significant challenge to economic recovery.

23. The Good Friday Agreement stipulated that as part of the work programme, the NSMC would identify and agree at least 6 matters for cooperation in each of the following categories: (i) matters where existing bodies will be the appropriate mechanisms for co-operation in each separate jurisdiction and (ii) matters where co-operation will take place through agreed implementation bodies on a cross-border basis or all-island level.¹⁰ The six main areas of co-operation of the NSMC are; transport, health, tourism, environment, agriculture and education. Each of the North/South bodies operate on an all-island basis under the overall policy direction of the NSMC and include bodies such as Tourism Ireland and InterTrade Ireland which have a particularly significant role to play in the economic recovery of the island.

24. Tourism is especially important, North and South, and the Irish Government and the Northern Ireland Executive are working closely to ensure that the sector's potential is fulfilled. Tourism Ireland is a good example of how an all-island approach can be advantageous. The Committee heard that Minister Varadkar and Minister Foster have recently agreed to cooperate on a possible 2023 Rugby World Cup bid which could result in major benefits to the tourism industry on the island. Other examples such as the

⁸ Para 1, Strand Two, Good Friday/Belfast Agreement.

⁹ Para 3, Strand Two, Good Friday Agreement.

¹⁰ Para 9, Strand Two, Good Friday/Belfast Agreement.

provision of shared services on a cross-border basis at the radiation centre in Altnagelvin Hospital, or the all island approach to the ash dieback problem, are clear examples of how the relationship has developed and expanded.

25. The Committee was advised of further examples of potential cooperation such as developing synergies on increasing joint drawdown of innovation funding under the EU's Horizon 2020 programme for research and technological development, youth employment measures and greater cooperation in higher education. The Committee heard that there would also be merit in examining the potential to develop cross-border clusters of economic activity. The Committee was also informed that a review of the North West Gateway Initiative is currently taking place outside of the structure of the North South Ministerial Council. The results of this review will be reported to a future meeting of the Council.

26. The Committee commends the extensive cooperative work undertaken by the North/South Ministerial Council to date and urges it to continue to find new avenues of cooperation. The Committee notes that a prosperous all island economy is crucial to the ongoing success of the peace process. It notes the discussions that are taking place in the North/South Ministerial Council on the forward-looking elements of the St Andrews Agreement Review. The Committee considers that there is potential to agree new areas of cooperation that have mutual economic and social benefit.

Strand Three: British-Irish Relations

27. Relations between Britain and Ireland have never been stronger or more settled. The March 2012 Joint Statement by Taoiseach Enda Kenny and Prime Minister David Cameron set out an ambitious agenda for cooperation over the following decade, which would deepen and strengthen relations for the benefit of current and future generations living on these islands. This Joint Statement also signalled a new phase of economic cooperation, encouraging collaboration on a range of sectors such as the agri-food sector, financial services, tourism and transport, as well as reaffirming support for the Northern Ireland Executive and of the institutions and principles of the Good Friday/Belfast Agreement.

The British-Irish Council

28. The Good Friday/Belfast Agreement provided for a British-Irish Council to be established to promote harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands. Membership is drawn from British and Irish Governments, devolved institutions in Northern Ireland, Scotland, Wales and

representatives of the Isle of Man and Channel Islands.¹¹ The BIC, although formally set up in the aftermath of the Good Friday/Belfast Agreement, only became operational in 2007. All 8 administrations (Ireland, UK, Northern Ireland, Wales, Scotland, Jersey, Guernsey and the Isle of Man,) have an equal role in the BIC, with the two sovereign members holding the positions of Joint Heads. It is the only body of its type on these islands, and is responsible for a wide range of work streams, which currently include: the misuse of drugs; environment; transport; social inclusion; indigenous, minority and lesser-used languages; demography; early years policy; digital inclusion; collaborative spatial planning; energy; creative industries and housing.

29. It was agreed that the British Irish Council would meet in different formats: at summit level twice per year, in specific sectoral formats on a regular basis, and in appropriate format to consider cross-sectoral matters.¹² The British Irish Council held its inaugural summit in December 1999. The BIC has 12 work sectors, with each sector being led by one or more national administrations. They concentrate on areas where all member administrations have competence. Some of the work sectors meet frequently and produce reports. For example, the BIC work sector on Collaborative Spatial Planning produced a report on students flows between member administrations. BIC also engage with other stakeholders – for example, as part of a meeting of the work sector on the Environment in September 2012, Ministers took part in a ‘BioBlitz’ with local school children to gather information and boost records of species in Vogrie Country Park.
30. Parties to the Good Friday/Belfast Agreement also agreed to a BIC Secretariat would be provided by the British and Irish Governments.¹³ This provision was implemented when a Standing Secretariat was set up in January 2012 in Edinburgh, headed by British and Irish officials and staffed by officials of the member administrations.
31. The Committee believes that the British-Irish Council, in conjunction with its Secretariat, has made progress and cooperated in a large range of social and economic areas.
- 32. The Committee recognises that there is potential for greater co-operation between BIPA and the BIC. The Committee recommends that BIPA should invite Ministers to address future BIPA Plenaries on their work with the BIC, with a view to aligning BIPA’s work programme more closely with the work sectors of the BIC in the future.**

¹¹ Paras 1&2, Strand Three, Good Friday/Belfast Agreement.

¹² Para 3, Strand Three, Good Friday/Belfast Agreement.

¹³ Para 9, Strand Three, Good Friday/Belfast Agreement.

The British-Irish Intergovernmental Conference

33. The Good Friday/Belfast Agreement provided for the establishment of the British-Irish Intergovernmental Conference, subsuming the Anglo-Irish Intergovernmental Council and Intergovernmental Conference.¹⁴ The Conference was established on 2 December 1999 and an inaugural Summit level meeting of the Conference took place on 17 December 1999. The British-Irish Intergovernmental Conference brings together the British and Irish Governments to promote bilateral co-operation at all levels on all matters of mutual interest within the competence of both Governments. The latest meeting of the British Irish Intergovernmental Conference, at summit level, took place in Dundalk on 26 February 2007.
34. Parties agreed that The British-Irish Intergovernmental Conference was to be supported by British and Irish officials, including a standing Joint Secretariat of officials dealing with non-devolved Northern Ireland matters.¹⁵ Cooperation within the framework, as set out, continues through the Secretariat, including facilitation of co-operation in security matters. The Secretariat is located in Belfast and is staffed by officials from the Irish and British Governments. The Secretariat also works with Irish and British Government Departments in relation to the wider bilateral responsibilities of the Conference. Co-operation within the framework of the Conference in this regard includes facilitation of co-operation in non devolved matters to intensify co-operation between the two Governments on the all-Ireland or cross-border aspects of these matters.

Rights, Safeguards and Equality of Opportunity

Human Rights

35. The British Government agreed to complete incorporation into Northern Ireland law of the European Convention on Human Rights.¹⁶ It fulfilled this obligation in the Human Rights Act of 1998, ensuring that the European Convention is legally binding at national level, so that people in Northern Ireland can invoke their Convention rights in national courts.

¹⁴ Para 1, British-Irish Intergovernmental Conference, Strand Three, Good Friday/Belfast Agreement.

¹⁵ Para 8, British-Irish Intergovernmental Conference, Strand Three, Good Friday/Belfast Agreement.

¹⁶ Para 2, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

36. The British Government pledged to create statutory obligation on public authorities in Northern Ireland to carry out all their functions with due regard to the need to promote equality of opportunity in relation to religion and political opinion; gender; race; disability; age; marital status; dependants; and sexual orientation.¹⁷ This commitment was implemented in Section 24 of the Northern Ireland Act 1998.
37. Parties also committed to the establishment of a Northern Ireland Human Rights Commission.¹⁸ The Northern Ireland Human Rights Commission (NIHRC) was established in 1999 by the Northern Ireland Act 1998. There are seven Commissioners. They are appointed by the Secretary of State for Northern Ireland following an open recruitment exercise. Commissioners should be as representative of the community in Northern Ireland as is practicable. The St Andrews Agreement parties gave additional powers to the Northern Ireland Human Rights Commission to compel evidence and bring judicial proceedings in its own name.¹⁹ These powers were provided by sections 14,15 and 16 of the Justice and Security (Northern Ireland) Act 2007.
38. The Northern Ireland Human Rights Commission was also tasked with consulting and advising Westminster on a Bill of Rights for Northern Ireland.²⁰ The Commission delivered its advice on a Bill of Rights for Northern Ireland on 10 December 2008.²¹ The Northern Ireland Commission for Human Rights has continued to engage with the UK Government and the Government of Ireland and also raised the matter with political parties in the NI Assembly, at Westminster and in the Houses of the Oireachtas. The Bill of Rights was also discussed by a number of groups with the independent chair of the all-party talks, Dr Richard Haass. The Commission expressed its view to Dr Haass that a Bill of Rights for NI would make an important contribution to dealing with the past and promoting good community relations.
39. On 18th December 2012 the Commission on a Bill of Rights for the UK (ICBR) reported.²² The ICBR was unable to reach a consensus on proposals for a Bill of Rights

¹⁷ Para 3, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

¹⁸ Para 4, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

¹⁹ Annex B, St. Andrews Agreement.

²⁰ Para 4, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement

²¹ *A Bill of Rights for Northern Ireland - Advice to the Secretary of State for Northern Ireland*, 10 December 2008. Can accessed here: <http://www.nihrc.org/documents/bill%20of%20rights/bill-of-rights-for-northern-ireland-advice-to-secretary-state-2008.pdf>

²² Volume 1 and 2 of the Report can be accessed here: <https://www.justice.gov.uk/about/cbr>

for the UK and stated that it did not wish its conclusions to be interpreted or used in such a way as to interfere in, or delay, a separate Northern Ireland Bill of Rights.

40. A Joint Committee of the NI Human Rights Commission and the Irish Human Rights Commission was mandated by the Good Friday/Belfast Agreement to consider the possibility of a Charter of Rights for the island of Ireland.²³ The Joint Committee presented its advice to the UK Government and the Government of Ireland on a Charter of Rights for the island of Ireland in June 2011.²⁴
41. The Parties to the St. Andrews Agreement also agreed to establish a Forum for a Bill of Rights.
42. The Committee heard from numerous witnesses about their frustration at the perceived failure of these sections of the Agreements to be implemented. A Bill of Rights for Northern Ireland is one of the issues to be addressed by the 'Commission on Identity, Culture and Tradition' as outlined in the proposals which have emerged within the context of the recent political talks in Northern Ireland. Such a Bill could serve as a powerful statement of intent for everyone in Northern Ireland, regardless of tradition.
43. **While the Committee recognises that a Bill of Rights for Northern Ireland is a matter that lies, in the first instance, within the competence of the Northern Ireland Assembly, the Committee calls on representatives from all parties in Northern Ireland, in cooperation with the British and Irish governments and other partners, to work together to reach agreement on an approach to human rights that reflects the particular circumstances of Northern Ireland and the principles of mutual respect for the identity and ethos of both communities and parity of esteem.**
44. Parties also agreed to the establishment of a new statutory Equality Commission for Northern Ireland, replacing Fair Employment Commission, Equal Opportunities Commission (NI), Commission for Race Equality (NI), and the Disability Council.²⁵ The Equality Commission for Northern Ireland was established by the Northern Ireland Act 1998, as an independent public body. On 1 October 1999 the Commission took over the functions previously exercised by the Commission for Racial Equality for Northern Ireland, the Equal Opportunities Commission for Northern Ireland, the Fair Employment Commission and the Northern Ireland Disability Council.

²³ Para 10, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

²⁴ Report can be accessed here: http://www.ihrc.ie/download/pdf/charter_of_rights_advice__june_2011__final.pdf

²⁵ Para 6, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

45. For its part, the Irish Government pledged to bring forward measures to strengthen and underpin the Irish constitutional protection of human rights. In addition the Irish Government agreed to establish a Human Rights Commission with mandate and remit equivalent to that of the Northern Ireland Human Rights Commission, to proceed with arrangements to ratify Council of Europe Framework Convention on National Minorities, to implement enhanced employment equality legislation, to introduce equal status legislation and to take further steps to demonstrate respect for the different traditions on the island of Ireland.²⁶
46. The Irish Human Rights Commission (IHRC) was established by statute in 2000,²⁷ to promote and protect the human rights of everyone in Ireland. It is soon to be merged with the Equality Authority to form the Irish Human Rights and Equality Commission. The Irish Human Rights and Equality Commission Bill has the purpose of merging the two existing bodies to provide for the recognition of the new body by the United Nations as Ireland's National Human Rights Institution (NHRI) and to ensure that the new body is compliant with the Paris Principles.
47. The Irish Government took a range of steps to implement their obligations above, including; transposing the European Convention on Human Rights into Irish domestic law²⁸; becoming a party to the Framework Convention on National Minorities²⁹ ; outlawing discrimination on nine distinct grounds³⁰ and; setting up an independent Equality Authority.³¹
48. The Agreement set out a need to establish a joint committee of representatives of the two Human Rights Commissions as a forum for consideration of human rights issues on the island of Ireland.³² The Joint Committee meets on a bi-monthly basis with alternate

²⁶ Para 9, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

²⁷ Human Rights Commission Act 2000.

²⁸ The European Convention on Human Rights Act was enacted in 2003

²⁹ Ireland became a party on 7 May 1999. The Framework Convention entered into force with respect to Ireland on 1 September 1999.

³⁰ The Employment Equality Act, 1998 and the Equal Status Act, 2000 outlaw discrimination in employment, vocational training, advertising, collective agreements, the provision of goods and services and other opportunities to which the public generally have access, on nine distinct grounds

³¹ Ireland set up The Equality Authority as an independent body under the Employment Equality Act 1998. It was established on 18th October 1999. It is intended to be merged with the Irish Human Rights Commission to form the Irish Human Rights and Equality Commission.

³² Para 10, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

meetings taking place in Belfast and Dublin. This committee is a forum for considering human rights issues in the island of Ireland, affecting both jurisdictions.

49. Through the Agreement parties pledged their continued support to organisations developing reconciliation, mutual understanding and respect and to positively examine the case for enhance financial assistance for the work of reconciliation. They also recognised the need for the acknowledgement of suffering of victims of violence as a necessary element of reconciliation.³³ This Committee has heard from many witnesses who have outlined the importance of acknowledging past violence and supporting those who were victims of violence and conflict in Northern Ireland. The Committee consider that civil society has an important role to play in shaping a more reconciled and cohesive society. For its part, the Irish Government has engaged intensively with groups working in this area on a cross community basis. Through the Reconciliation Fund and Anti-Sectarianism Fund, the Irish Government provides €2.7 million in support to approximately 150 organisations in the community, voluntary and civil society sector each year, primarily in Northern Ireland but also on a cross-border basis.

50. The Committee has also heard that in the context of dealing with the past, there should be an avenue available for loyalists to tell their story. The Committee heard that this issue can be seen in the recent flag protests and the political talks which took place to try to resolve issues to do with identity and dealing with the past. The Committee believes that while progress was made towards addressing these issues in the Haass/O’Sullivan talks, agreement on these issues would provide meaningful progress toward contending with the legacy of the past in Northern Ireland and will advance reconciliation considerably.

51. The Committee recommends that the progress achieved on legacy issues in the recent political talks should be built upon immediately by parties in Northern Ireland, within the framework provided by the talks. Contending with the past in a comprehensive and considered way will aid the people of Northern Ireland in building a more reconciled society.

52. Parties to the Good Friday Agreement agreed that necessary measures to recognise the importance of respect, understanding and tolerance in relation to linguistic diversity needed to be taken.³⁴ Parties to the St. Andrews Agreement also addressed this issue and the British Government agreed to support the Executive in introducing an Irish language Act to protect and enhance development of the Irish language.³⁵ The St. Andrews

³³ Paras 11 - 13, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

³⁴ Para 3, Economic, Social and Cultural Issues, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

³⁵ Annex B, Human Rights, Equality, Victims and Other Issues.

Agreement also contained a commitment to support the Executive in taking measures to enhance and develop Ulster Scots language, heritage and culture.³⁶ A recent Council of Europe report raised concerns about the promotion of the Irish language and Ulster Scots in Northern Ireland.³⁷ The Committee feels it is time to make progress on this issue. This is a central tenet to meaningful mutual respect and parity of esteem, which are crucial to the ongoing peace and prosperity in Northern Ireland. The Committee notes that an Irish language Act is still outstanding. The position of the Irish language is one of the issues intended to be addressed by the proposed Commission on Identity, Culture and Tradition as outlined in the proposals which have emerged from the recent political talks in Northern Ireland led by Dr. Richard Haass and Dr. Meghan O’Sullivan.

53. All parties to the Good Friday/Belfast and St. Andrews Agreements recognised the importance of respect, understanding and tolerance in relation to linguistic diversity in Northern Ireland. This is a central tenet to meaningful respect and parity of esteem, which are crucial to ongoing peace and prosperity in Northern Ireland. The Committee, therefore, strongly encourages the Northern Ireland parties to work together towards a scheme that fosters linguistic diversity, including the Irish language, and that encourages respect for the Ulster Scots and Irish linguistic and cultural traditions.

54. The Good Friday/Belfast Agreement acknowledged the sensitivity of the use of symbols and emblems for public purposes and the need to create new institutions to ensure that such symbols and emblems are used in a manner which promotes respect rather than division.³⁸ The flags dispute that began in December 2012 has highlighted a level of alienation from the political process present in some Unionist communities. The issues of flags and parades need to be seen through the prism of mutual respect for different traditions and the principle of parity of esteem, which are key tenets of the Agreement. The recent political talks chaired by Dr. Richard Haass and Dr. Meghan O’Sullivan made progress into finding lasting resolution on these issues. The need for collaboration and reconciliation on these issues has been illustrated by the recent flags protests.

55. The Committee strongly urges the parties in Northern Ireland to continue to talk to each other on important issues such as symbols and emblems for public purposes, to find common ground, to encourage inclusive cross community support for parades

³⁶ Annex B, Human Rights, Equality, Victims and Other Issues.

³⁷ Council of Europe Report can be accessed here: http://www.coe.int/t/dg4/education/minlang/Report/EvaluationReports/UKECRML4_en.pdf

³⁸ Para 5, Economic, Social and Cultural Issues, Rights, Safeguards and Equality of Opportunity, Good Friday/Belfast Agreement.

and to endeavour to find a lasting solution that promotes equality, respect and parity of esteem.

Decommissioning

56. In the Good Friday/Belfast Agreement, all participants affirmed their commitment to the total disarmament of all paramilitary organisations and to use any influence they have to achieve the decommissioning of all paramilitary arms within two years following endorsement of the Agreement.³⁹ The two year deadline proved unattainable and the issue of decommissioning impeded progress on the devolution of powers from Westminster to Stormont. While the two year timetable set for decommissioning was not met, decommissioning, for the most part, was achieved by February 2010 when the Independent International Commission on Decommissioning mandate was withdrawn by the British and Irish Governments.⁴⁰

57. Parties agreed to an Independent Commission to monitor, review and verify progress and report to both Governments at regular intervals.⁴¹ The Independent International Commission on Decommissioning was the body so tasked. The Commission had been formally established by the two Governments on 24 September 1997 and was tasked with consulting widely with paramilitary groups and organisations, recommend decommissioning methodology to the two Governments, execute the decommissioning of paramilitary arms and report to the two Governments.⁴²

58. The Committee commends the work and commitment of all parties involved in achieving decommissioning.

Security

59. In the Good Friday/Belfast Agreement, the British Government pledged to make progress towards the objective of returning to normal security arrangements in Northern Ireland.⁴³

³⁹ Para 3, Decommissioning, Good Friday/Belfast Agreement.

⁴⁰ IICD Final Report 28 March 2011.

⁴¹ Paras 2 & 4, Decommissioning, Good Friday/Belfast Agreement.

⁴² IICD Final Report 28 March 2011.

⁴³ Paras 1 - 5, Security, Good Friday/Belfast Agreement.

60. Security matters are regularly discussed by the Tánaiste and Minister for Foreign Affairs and Trade, and the Secretary of State for Northern Ireland. The Secretary of State also has regular discussions on these matters with the Minister for Justice and Equality. Unprecedented levels of co-operation exist between an Garda Síochána and the PSNI. The Garda Commissioner and the PSNI Chief Constable place strong emphasis on this co-operation and its importance in combating shared threats.
61. The Committee heard that the dissident threat remains severe, on both sides, and there has been a recent surge in dissident activity. 2013 has been the most active and dangerous period of dissident activity since 2010. However, as above, the Committee also heard that PSNI co-operation with the Gardai has never been better, including on cross border operations.
- 62. The Committee commends the collaborative work of the PSNI and the Gardai in working together to combat dissident activity. It also notes the independent activities of both forces in this regard. The Committee encourages the two police forces to maintain this close cooperation.**

Policing and Justice

63. The Parties to the Good Friday/Belfast Agreement recognised the requirement for a police service that is “professional, effective, efficient, fair and impartial, free from partisan political control, representative of the society it polices and operates within a criminal justice system which conforms with human rights norms.”⁴⁴ The Parties also agreed to the establishment of an Independent Commission to make recommendations for future policing arrangements in Northern Ireland.⁴⁵ The Commission on the Future of Policing in Northern Ireland, which was headed by Chris Patten, in its final report issued in 1999, recommended major changes to the Royal Ulster Constabulary, including changing its name.⁴⁶ Other recommendations from the Patten Report included the setting up of a Policing Board, tasked with holding the police to account, and a Police Ombudsman to investigate complaints. The Police Service of Northern Ireland replaced the Royal Ulster Constabulary on 4 November 2001.
64. Following lengthy negotiations between political parties in Northern Ireland, the devolution of policing and justice was agreed following the approval of parliamentary orders in Westminster in March 2010. David Ford MLA, leader of the Alliance Party, was

⁴⁴ Para 2, Policing and Justice, Good Friday/Belfast Agreement.

⁴⁵ Para 3, Policing and Justice, Good Friday/Belfast Agreement.

⁴⁶ *A new Beginning: Policing in Northern Ireland*, September 1999.

elected as Minister for Justice for Northern Ireland in April 2010. He was re-elected in May 2011. The sensitivity of the appointment is evidenced by the fact that it is the only Ministerial portfolio to which the d'Hondt system does not apply – the appointment is by cross community vote which requires a majority of Unionist and Nationalists separately. As a result, the objective of having a police service accountable to a cross community Policing Board and a locally elected Minister for Justice has been achieved.

65. The Committee notes the work of the political parties in Northern Ireland in securing the devolution of policing and justice powers to the people of Northern Ireland.

Prisoners

66. The Good Friday/Belfast Agreement provided that both Governments would continue to recognise the importance of measures to facilitate the reintegration of paramilitary prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling, and further education.⁴⁷ In this context, significant funding for the From Prison to Peace initiatives was been provided through the EU Special Support Programmes for Peace and Reconciliation, from 1995 to 2012. The support focused, inter alia, on conflict transformation and peace building, work around youth development and citizenship and social change and the nature of current challenges at community level.

Validation, Implementation and Review

67. A new British-Irish Agreement was signed simultaneously with the Good Friday Agreement and came into effect on 2 December 1999.⁴⁸

68. Both Governments agreed to arrange referendums on 22 May 1998, to be followed by elections to Northern Ireland Assembly and establishment of institutions provided for under the Agreement.⁴⁹ The two referendums took place simultaneously on 22 May 1998 with the modern Northern Ireland Assembly being first elected on 25 June 1998.

69. The Parties to the Agreement stipulated that each institution may review any problems arising in its own operation, provided it does not affect any other institution. Institutions

⁴⁷ Paras 1 - 4, Prisoners, Good Friday/Belfast Agreement.

⁴⁸ Para 1, Validation, Implementation and Review, Good Friday/Belfast Agreement.

⁴⁹ Para 2, Validation, Implementation and Review, Good Friday/Belfast Agreement.

can work together on review of operations as required. In the event of need for remedial action across a range of institutions or amendment of British-Irish Agreement, review will fall to both Governments in consultation with the parties of the Assembly.

70. The Parties further agreed that each institution would publish an annual report on its operations. The two Governments and the parties in the Northern Ireland Assembly would convene a conference 4 years after the Agreement came into effect, to review and report on its operation.⁵⁰

71. The Committee is disappointed that the obligation of reporting on the implementation of the Agreement has not been conducted in a meaningful or regular way. There is a need to reflect on gaps that exist and where commitments remain unfulfilled. As is the case in any comprehensive political agreement, implementation of all provisions is essential to the integrity and balance of the whole. The Committee believes a formal reporting mechanism which encourages, and requires, regular formal reporting on the implementation of the Agreement, would provide a platform for review and oversight of the components of the Agreement and ensure that issues are publicly noted.

72. The Committee strongly recommends that the British and Irish Governments, as guarantors of the Agreement, and the Northern Ireland Executive, should each establish a mechanism for formally reporting on the implementation of all aspects of the Agreements, on a regular basis. The Committee suggests that this could take the form of a series of official reports and that BIPA should consider and debate these. The Committee further recommends that such reports could take the form of an audit every 3 to 4 years setting out a matrix of areas needing affirmative action.

⁵⁰ Paras 5 - 8, Validation, Implementation and Review, Good Friday/Belfast Agreement.

St. Andrews Agreement Obligations

73. The St. Andrews Agreement arose from multi-party negotiations held in St Andrews in Fife, Scotland, from 11 October to 13 October 2006, between the British and Irish Governments and all the major parties in Northern Ireland. The negotiations took place with the main aim of restoring the political institutions of Northern Ireland.

Power Sharing and the Political Institutions

74. In the St. Andrews Agreement, the British Government agreed to enact legislation to make practical changes to the operation of institutions, towards restoration of power sharing.

Strand One

75. The St. Andrews Agreement set out a new Statutory Ministerial code which set out the requirements of individual ministers in relation to their relationship to the Executive and strengthened accountability.⁵¹ It also set out detailed procedures for the way the Northern Ireland Executive would operate, including an obligation on the part of ministers to bring certain cross-cutting matters to the attention of the Executive. The Northern Ireland (St Andrews Agreement) Act 2006 amended the Northern Ireland Act 1998 to reflect the new code.

76. The Agreement provided for a new mechanism for referrals from the Assembly to the Executive of important ministerial decisions.⁵² The Northern Ireland (St Andrews Agreement) Act 2006 amended the Northern Ireland Act 1998 to reflect the new provision.

77. The Agreement also provided for an amendment to the Pledge of Office.⁵³ The Northern Ireland (St Andrews Agreement) Act 2006 amended the Northern Ireland Act 1998 to reflect the new provision.

78. The Agreement also made provision for amendments to the form of Appointment of Ministers to the Executive.⁵⁴ The Northern Ireland (St Andrews Agreement) Act 2006 amended the Northern Ireland Act 1998 to reflect the new provision.

⁵¹ Para 2, Annex A, St Andrews Agreement.

⁵² Para 6, Annex A, St Andrews Agreement.

⁵³ Para 8, Annex A, St Andrews Agreement.

⁵⁴ Para 9, Annex A, St. Andrews Agreement.

79. The Agreement provided for amendments to functions of the Office of First Minister and deputy First Minister.⁵⁵ The Northern Ireland (St Andrews Agreement) Act 2006 amended the Northern Ireland Act 1998 to reflect the new provision.

80. The Agreement provided for the British Government to ensure that Committee of the Centre was to be given statutory footing.⁵⁶ This was provided for legislatively by the Northern Ireland (St Andrews Agreement) Act 2006.

81. It also stated that the British Government was to provide for the Assembly to appoint a standing Institutional Review Committee, to examine the operational aspects of the Strand One institutions.⁵⁷ This was provided for legislatively by the Northern Ireland (St Andrews Agreement) Act 2006.

82. The Committee notes that the agreed reforms of Strand One institutions were achieved.

Strands Two and Three

83. It was agreed to provide a Northern Ireland Executive role in preparations for NSMC and BIC meetings.⁵⁸ This was provided for legislatively by the Northern Ireland (St Andrews Agreement) Act 2006.

84. It was agreed to provide a right to attend NSMC and BIC meetings ministers with a lead departmental interest.⁵⁹ This was provided for legislatively by the Northern Ireland (St Andrews Agreement) Act 2006.

NSMC St Andrews Review

85. The Irish Government and Executive agreed to appoint a Review Group under the auspices of the NSMC to examine (1) efficiency and value for money of existing bodies

⁵⁵ Para 10, Annex A, St. Andrews Agreement.

⁵⁶ Para 11, Annex A, St. Andrews Agreement.

⁵⁷ Para 12, Annex A, St. Andrews Agreement.

⁵⁸ Para 17, Annex A, St. Andrews Agreement.

⁵⁹ Para 18, Annex A, St Andrews Agreement.

and (2) the case for additional bodies and areas of cooperation.⁶⁰ The North South Ministerial Council (NSMC) agreed, at its Plenary meeting on 17 July 2007, to take forward the Review of the North South Implementation Bodies and Areas for Co-operation, as provided for in the St Andrews Agreement. The Review was undertaken by a review group of senior officials and an advisory panel of four experts/advisers, two appointed by the Northern Ireland Executive and two appointed by the Irish Government reporting to the NSMC.

86. The first part of the ongoing St Andrews Review of North/South Bodies and Areas of Co-operation, which examined the existing North-South bodies from an efficiency and value-for-money viewpoint, is now essentially complete. At the NSMC Plenary meeting in November 2013, it was agreed that Ministers from both administrations would, in the current round of NSMC Sectoral meetings, consider their priorities for further co-operation in their respective areas especially where they could lead to economic recovery, job creation, the best use of public funds and the most effective delivery of services. The outcome of this exercise will be considered at a future NSMC Institutional meeting as part of the ongoing review.

87. The Committee notes the importance of undertaking a comprehensive review of the aforementioned issues under the St. Andrews Review, and looks forward to the completion of the review.

North/South Inter-Parliamentary Association

88. It was agreed that a North South Parliamentary Forum was to be established.⁶¹ Discussions on the establishment of such a forum were on-going from 2008 between working groups established for that purpose in the Houses of the Oireachtas and the Northern Ireland Assembly. Agreement was reached by the working groups of both institutions at a meeting in Stormont on 4 July 2012 on the establishment of a forum to be known as the North/South Inter-Parliamentary Association. The Association provides a forum for regular formal discussions between Members of the Northern Ireland Assembly and Members of both Houses of the Oireachtas on issues of mutual interest and concern. It meets twice yearly on a rotational basis between the Houses of the Oireachtas and the Northern Ireland Assembly with the agenda being agreed by an Executive Committee of the Association. The inaugural plenary session was held in the

⁶⁰ Para 19, Annex A, St Andrews Agreement.

⁶¹ Para 21, Annex A, St Andrews Agreement.

Seanad Chamber, Leinster House on 12 October 2012. The current Joint Chairs are the Ceann Comhairle, Seán Barrett TD and the Speaker, William Hay MLA.

89. Representatives of all the main political parties North and South accordingly agreed to establish a shared formal mechanism for regular and direct discussion and engagement with a view to finding ways, through North/South co-operation, of improving the lives of the people they represent. The North/South Inter-Parliamentary Association seeks to build relationships and share ideas among Assembly and Oireachtas Members to address issues of common interest and concern, as envisaged in the Good Friday/Belfast and St. Andrew's Agreements. The Association provides a platform for natural engagement between neighbouring legislatures and builds on the regular contact which already exists between Committees of each Institution.

90. The Committee commends the establishment of the North/South Inter-Parliamentary Association and looks forward to its future positive contribution to the ongoing success of North/South institutional co-operation.

Independent Consultative Forum

91. Parties also agreed to an Independent Consultative Forum on North South matters to be established.⁶² The Government of Ireland convened three "North/South Consultative Conferences" in Farmleigh House in Dublin between October 2009 and January 2011. Participants were drawn from across civil society sectors in Ireland and Northern Ireland. However, given that the review of the Civic Forum by the Northern Ireland Executive has not yet been completed, it has not been possible to establish a North/South Consultative Forum.

92. The Committee, recognising the importance of a strong civil society, and the impact that it can make on political progress, urges the formal and permanent establishment of a Civic Forum and, consequently, a North/South Consultative Forum.

BIC Secretariat

93. The Agreement called for a standing Secretariat of the British-Irish Council to be established.⁶³ As previously stated, a permanent standing Secretariat was set up in early 2012 in Edinburgh, headed by British and Irish officials, and staffed by officials of the member administrations. The Committee believes it is working efficiently to support to

⁶² Para 22, Annex A, St Andrews Agreement.

⁶³ Para 23, Annex A, St Andrews Agreement.

work of the member administrations and to further the ambitions of the British-Irish Council.

East-West Inter-Parliamentary Body

94. The parties to the St. Andrews Agreement also agreed to an East-West Inter-parliamentary Framework being established.⁶⁴ The pre-existing British-Irish Inter-Parliamentary Body was enlarged and changed its name to the British Irish Parliamentary Assembly in October 2008. The Body originally comprised 25 Irish and 25 British parliamentarians from the Upper and Lower Houses of the Oireachtas and Westminster. In 2001, the Body was enlarged to also include five members from the Scottish Parliament, five members from the National Assembly for Wales, five members from the Northern Ireland Assembly and one member each from the Isle of Man, Jersey and Guernsey Parliaments. The Members meet in plenary session twice a year and consider issues that pertain to sovereign matters, European affairs, economic affairs and environmental and social affairs. To date, the British-Irish Parliamentary Assembly has produced a large volume of reports on matters of shared interest across the four committees, and continues to grow its body of work in an increasingly diverse range of areas. This report will form a part of that growing body of work.

Policing and Rule of Law

95. Parties agreed to continue discussions with a view to the Northern Ireland Assembly requesting the devolution of criminal justice and policing from the British Government.⁶⁵ As stated above, this was finally achieved when justice responsibilities were devolved to the Northern Ireland Executive on 12 April 2010. For the most part crime levels in Northern Ireland have been steadily declining. Up until the flags dispute began in December 2012, the year 2012 had been one of the most peaceful in 40 years.⁶⁶ In 2012 sectarian crime had dropped to below 1% of all crime and hate crime generally was down.⁶⁷ Furthermore, the Committee has heard over the course of its inquiry that cross border police cooperation is excellent. PSNI and Gardai have had many successes both in terms of prevention and prosecution and the level of cooperation between the two has never been better.

⁶⁴ Para 24, Annex A, St Andrews Agreement

⁶⁵ Para 8 St. Andrews Agreement.

⁶⁶ Northern Ireland Peace Monitoring Report 2013.

⁶⁷ Ibid.

96. Parties agreed to the 50/50 recruitment of officers to PSNI to cease when Patten targets were met.⁶⁸ In 1998 less than 8% of RUC officers had been from a Catholic/Nationalist background. In order to address that a 50/50 (50% Catholic / 50% Other) recruitment policy was introduced to meet the objective, as set out in the Good Friday Agreement, to have a police service that had “*the confidence of all parts of the community*” and was “*representative in terms of make-up of the community as a whole*”. That was very successful and by March 2010, when it was abolished, the figure for nationalist representation had grown to 30%, where it has remained since. On the recommendation of the Patten Report, 50/50 recruitment was suggested as a means of getting Catholic membership quickly into a range of “*critical mass*” (between 15% and 30%), which it considered was needed to ensure that the minority does not find itself submerged within a majority organisational culture. In November 2013 Deputy Chief Constable Judith Gillespie confirmed that 30.6% of the candidates in the current PSNI recruitment drive - its first recruitment drive in three years - were Catholics.
97. **The Committee notes that continuing recruitment from both communities is important for the reality of impartial policing.**

Human Rights and Equality

98. Throughout the negotiations of both the Good Friday/Belfast and St. Andrews Agreements, all parties have consistently stated their commitment to human rights and equality for all citizens of Northern Ireland. The Committee commends this commitment and believes that this commitment should continue to drive forward progress in the ongoing political talks taking place in Northern Ireland and amongst the stakeholders in the peace process.
99. The British Government, at St. Andrews, committed to establishing a Victims’ Commissioner for Northern Ireland.⁶⁹ The Commission for Victims and Survivors (the Commission) was established in May 2008 under the Victims and Survivors (Northern Ireland) Order 2006, as amended by the Commission for Victims and Survivors Act (Northern Ireland) 2008. The current Commissioner for Victims and Survivors is Kathryn Stone OBE, who was appointed by the First and deputy First Minister on 24 September 2012 for an initial period of four years. As part of the work of the Victims Commission, a Victims’ Forum was established.

⁶⁸ Annex B, St Andrews Agreement.

⁶⁹ Annex B, Human Rights, Equality, Victims and Other Issues, St. Andrews Agreement.

100. The Parties also agreed to establish a Forum for a Bill of Rights. This has been addressed by the Committee, above.⁷⁰

101. Parties to the St. Andrews Agreement also addressed this issue and the British Government agreed to support the Executive in introducing an Irish language Act to protect and enhance development of the Irish language.⁷¹ The St. Andrews Agreement also contained a commitment to support the Executive in taking measures to enhance and develop Ulster Scots language, heritage and culture.⁷² This has been addressed above.⁷³

Parades

102. The Parties to the St Andrews Agreement recognised the need to develop a long-term strategy on parading.⁷⁴ The Committee heard that the issue of Parades has been a source of much tension in many communities.

103. The regulation of parades is a non-devolved issue. It is governed by the Public Processions (NI) Act 1998 which established the Parades Commission. The role of the Commission is to promote greater understanding by the general public of issues concerning public processions, promote and facilitate mediation as a means of resolving disputes concerning public processions, to keep itself generally informed as to the conduct of public processions and protest meetings and to keep under review, and make such recommendations as it thinks fit to the Secretary of State concerning the operation of the Act. While the number of parades has increased to over 4,000 per annum the number of contentious parades remains low in the order of 5% in recent years. However, this Committee heard that parades remain a divisive issue which can seriously undermine community relations and lead to violence. Both Governments have been very supportive of the Parades Commission as an institution and have consistently called for its determinations to be respected and for the rule of law to be upheld. Under the Haass/O'Sullivan proposals, the issue of the devolution of responsibility for parades was discussed. Until such time as this occurs, the Parades Commission will retain responsibility for parades and will continue to address contentious parades in what can be very challenging and difficult circumstances.

⁷⁰ Paras 37 - 42.

⁷¹ Annex B, Human Rights, Equality, Victims and Other Issues.

⁷² Annex B, Human Rights, Equality, Victims and Other Issues.

⁷³ Paras 54 & 55

⁷⁴ Annex B, Human Rights, Equality, Victims and Other Issues, St Andrews Agreement.

Key conclusions and recommendations

The Committee believes that the two Agreements have had a significant and transformative effect on security, politics, economic and social opportunity on the island of Ireland and in Northern Ireland most particularly. The Agreements have also had a hugely positive impact on British-Irish relations more generally. They came about as a result of a sustained effort over a number of years by the British and Irish Governments and the Northern Ireland Parties. Taken together the Agreements set out the guiding principles for peace, stability and reconciliation in Northern Ireland namely, power-sharing; agreement on sovereignty; human rights; parity of esteem; support for the rule of law and for the devolved institutions; and the continued shared responsibility of the two governments to act as guarantors of the Agreements.

However, the Committee believes that the full potential of the Good Friday/Belfast and St Andrews Agreements has yet to be reached. As is the case in any comprehensive political agreement, implementation of all provisions is essential to the integrity and balance of the whole. Therefore, the Committee calls on all parties to the Agreements to maintain momentum to ensure that all outstanding provisions are implemented in their totality.

Accordingly the Committee makes the following recommendations:

- 1. The Committee is disappointed that the obligation of reporting on the implementation of the Agreement has not been conducted in a meaningful or regular way. There is a need to reflect on gaps that exist and where commitments remain unfulfilled. As is the case in any comprehensive political agreement, implementation of all provisions is essential to the integrity and balance of the whole. The Committee believes a formal reporting mechanism which encourages, and requires, regular formal reporting on the implementation of the Agreement, would provide a platform for review and oversight of the components of the Agreement and ensure that issues are publicly noted.**
- 2. The Committee strongly recommends that the British and Irish Governments, as guarantors of the Agreement, and the Northern Ireland Executive, should each establish a mechanism for formally reporting on the implementation of all aspects of the Agreements, on a regular basis. The Committee suggests that this could take the form of a series of official reports and that BIPA should consider and debate these.**
- 3. The Committee recommends that the political parties in Northern Ireland make every effort to bring the Civic Forum back into operation, and notes that this power rests, in the first instance, with the Northern Ireland Assembly. The Committee**

believes it is essential to harness the strength of civic society to strengthen democratic accountability and to provide positive challenge to government.

- 4. The Committee notes that all parties to the Good Friday/Belfast and St. Andrews Agreements recognised the importance of respect, understanding and tolerance in relation to linguistic diversity in Northern Ireland. This is a central tenet to meaningful respect and parity of esteem, which are crucial to ongoing peace and prosperity in Northern Ireland. The Committee, therefore, strongly encourages the Northern Ireland parties to work together towards a scheme that fosters linguistic diversity, including the Irish language, and that encourages respect for the Ulster Scots and Irish linguistic and cultural traditions.**
- 5. The Committee commends the extensive cooperative work undertaken by the North/South Ministerial Council to date and urges it to continue to find new avenues of cooperation. The Committee notes that a prosperous all island economy is crucial to the ongoing success of the peace process. The Committee noted the discussions that are taking place in the North South Ministerial Council on the forward-looking elements of the St Andrews Agreement Review. The Committee considered that there was potential to agree new areas of cooperation that have mutual economic and social benefit.**
- 6. The Committee notes the importance of undertaking a comprehensive review of the aforementioned issues under the St. Andrews Review, and looks forward to the completion of the review.**
- 7. The Committee recognises that there is potential for greater co-operation and between BIPA and the BIC. The Committee recommends that the BIPA should invite Ministers to address future Plenaries on their work with the BIC, with a view to aligning BIPA's work programme more closely with the work sectors of the BIC in the future.**
- 8. While the Committee recognises that a Bill of Rights for Northern Ireland is a matter that lies, in the first instance, within the competence of the Northern Ireland Assembly, the Committee calls on representatives from all parties in Northern Ireland, in cooperation with the British and Irish governments and other partners, to work together to reach agreement on an approach to human rights that reflects the particular circumstances of Northern Ireland and the principles of mutual respect for the identity and ethos of both communities and parity of esteem.**
- 9. The Committee recommends that the progress achieved on legacy issues in the recent political talks should be built upon immediately by parties in Northern Ireland, within the framework provided by the talks. Contending with the past in a**

comprehensive and considered way will aid the people of Northern Ireland in building a more reconciled society.