

the "Northern Ireland Act 1998" which are outside the terms of the Agreement.

The cumulative effect of British government concessions to unionist demands is that 18 months after agreement was reached and endorsed north and south, none of the institutions has been put in place.

Even the Assembly, which has been in a limbo existence since 25 June last year, is not that envisaged in the Good Friday Agreement. It has no powers, no Executive, no statutory committees. Crucially for republicans and nationalists it has no link to any all-Ireland institution. It cannot even meet, and has not met since March, save for the one desperate attempt to breath life into its structures on July 15 this year; a meeting which was bizarrely boycotted by its own First Minister, David Trimble.

On the ground there has been no progress on the equality agenda in terms of its effect on the day to day lives of people. The most recent employment statistics show that Catholic males are almost 3 times more likely to be unemployed than their Protestant counterparts.

The British government has yet to fulfill even the minimal requirement to publish a meaningful demilitarisation strategy.

The people of the Garvaghy Road and other isolated nationalist communities have yet to see evidence of their right to live free from sectarian harassment.

Repressive legislation has not been repealed but strengthened.

The RUC remains unchanged, unable and unwilling to root out the culture of collusion between its members and loyalist paramilitaries and unwilling to challenge wrongdoing within the force. This was seen most starkly in the threats and in the murder of solicitor Rosemary Nelson and the most recent revelations about the murder of Pat Finucane. In regards the latter it is now clear that a British Military Intelligence agent supplied the information and an RUC Special Branch agent supplied the weapons used in this attack. Both gave warnings which were ignored. Rosemary Nelson's murder was part of a catalogue of sectarian loyalist attacks, including several murders, since the Good Friday Agreement.

There is a deep commitment in the republican and nationalist community to the peace process. But there is also deep anger that the Good Friday Agreement - a product of the peace process - has been blocked at every juncture by unionism with the indulgence of the British government.

We have seen a succession of missed deadlines and broken agreements. Time after time the UUP were permitted to buy more time - to sap the momentum of the process - to prevent change.

- The 31 October '98 deadline for completion of a program of work to agree matters for joint and separate implementation was not met.
- The mechanisms for achieving this - the Shadow Executive and the shadow all-Ireland Ministerial Council - were not established.

Failure to meet a commitment relating to decommissioning can relate only to the commitments made in the Agreement.

The proposed legislation implies further undefined commitments on the parties to the GFA arising from the Joint Statement. The Joint Statement is a position agreed between the two governments and is not binding on the parties to the Agreement.

The proposed legislation allows the British SOS to interpret unilaterally 'commitments' to devolution and to act in a fundamental way on the basis of her interpretation without due consultation or agreement. Significantly, the Act will not become operative until devolution has taken place.

Bypassing the electorate

The legislation, if enacted, would override the democratically expressed wishes of the electorate.

The endorsement by referendum of the Agreement by a majority of voters north and south was a requirement of the Agreement coming into force.

In the run up to the referenda each household was sent a copy of the Agreement. Voters were asked to make an informed decision based on the actual wording of the Agreement.

Voters in the south were asked additionally to decide on significant constitutional issues.

The terms of the Agreement cannot therefore be changed unilaterally.

Assembly's Executive. But the Bill is still subject to the legislative process from which it can again emerge at a later date.

In addition the British Government have said they will bring forward amendments to the 12 July Bill. British PM Tony Blair said in the British House of Commons on 14 July that the amendments will focus on:

- making sure that decommissioning happens, in accordance with the timetable to be laid down by de Chastelain, actually in the Bill; and
- making clear that any breach of that timetable – any breach – will lead to the automatic suspension of the institutions; and
- also to make sure that we can clearly and formally identify the parties that default whether on decommissioning or devolution.”

The 12 July Bill and the additional amendments to it are outside the terms of the Good Friday Agreement.

Circumstances leading to suspension

Under the proposed legislation suspension would occur at any time after the devolution of power and the setting up of the institutions where:

“(a) the Decommissioning Commission reports to the Secretary of State that there has been –

- (i) a failure to meet a commitment relating to decommissioning;
or
- (ii) a failure to take, in accordance with the Joint Statement, any step referred to in paragraph 5 of that Statement which is specified by the Commission; or

(b) the Secretary of State has reason to believe, after such consultation as she considers necessary, that there has been a failure to meet a commitment relating to devolution.”

The proposed legislation defines a ‘commitment’ as meaning “a commitment arising under the Belfast Agreement or the Joint Statement”.

The amendments referred to by British PM Tony Blair have yet to be tabled. We can only speculate about the wording although the intentions are crystal clear. However it is likely that the first amendment referred to is a draft which was considered by the British Government on 12 July but not written into the Bill will amend clause 1 (1) (a) (ii) to read:

‘a failure to take, within a period specified by the Commission, any step so specified which is of a kind described in the Joint Statement; or’

Effect of suspension

During suspension

- The Assembly nor any committee of the Assembly shall hold any meetings or conduct business, (apart from 2 meetings of the Assembly which the Secretary of State may call to

We were faced with intense opposition within our party to the position we had offered up with many arguing that once again republicans had moved to accommodate unionist intransigence.

This was compounded by the failure of the UUP to respond positively. We were attempting to sell to our own constituency an initiative which had failed to deliver its declared objective of establishing the political institutions.

Finally, and most damagingly, the British government's response to the UUP's negativity was to set about unilaterally interpreting 'The Way Forward' joint statement in proposed legislation.

In their draft legislation (see appendix 1) the British government moved far outside the terms of the Agreement, the agreed context for any resolution, and beyond 'The Way Forward' joint statement, in a number of critical areas. These include:

- Giving the Secretary of State wide discretionary powers to pre-empt the review procedures set out in the Agreement and unilaterally bring about suspension of the institutions established by the Agreement.
- Giving both the Secretary of State and the Independent Commission powers to trigger scenarios which may lead to the exclusion of a party/individual from the Executive on the basis of attitudes or actions by organisations which are not party to the Agreement.
- Redefining the remit of the Independent Commission, compromising its independence, prescribing it a proactive role in setting deadlines and ultimata and giving it political powers to bring about the suspension of the institutions and initiate scenarios which may lead to the exclusion of individuals or parties from the Executive.

The effect of this unilaterally drafted legislation would be the introduction of new conditions and sanctions, specifically targeted at Sinn Féin, which are undemocratic, outside the terms of the Agreement and totally unacceptable.

From our, and the democratic, perspective, the most critical of these is the preparation of legislation which would allow for the expulsion of Sinn Féin from executive office despite our electoral mandate. We regard even the threat of such action as an attack on both the spirit and the letter of the Good Friday Agreement and on the democratic rights and entitlements of the Sinn Féin electorate.

We have made our profound opposition to this draft legislation absolutely clear to both the British and the Irish governments. We cannot accept these provisions and we will continue to oppose them.

He sought concession after concession and always beyond the terms of the Agreement. Once given, he sought more.

He allowed the agenda to be set by the 'NO' camp instead of standing by the Good Friday Agreement and giving leadership to those inside unionism who want to look forward not backwards.

He has put party political concerns above the needs of the Good Friday Agreement, above the needs of the peace process.

David Trimble has succeeded in blocking progress and collapsing the institutions. But the responsibility is not his alone.

The peace process cannot be successful if it is subject to a unionist veto. The Good Friday Agreement will never deliver on its undoubted potential if its implementation is filtered through unionism.

Engaging the UUP.

Sinn Fein have attempted to engage positively with the UUP. The UUP's political hostility and negativity to Sinn Fein is a matter of public record. For instance David Trimble refused to talk to or meet with Sinn Fein President, Gerry Adams, until five months after the Agreement. The UUP refused to meet Sinn Fein in bilateral discussions until January this year; a full 9 months after the Agreement was concluded. Nevertheless we are committed to these discussions and believe that they have been of benefit to both our parties.

Over the past 6 weeks Sinn Fein has engaged in a round of discussions with the UUP at various levels, both formal and informal, in a concerted attempt to find a way forward. It is, in our view, critical that there is a greater understanding of each other's positions so that every possibility of salvaging the Good Friday Agreement is fully explored. The UUP are blocking the implementation of the Agreement and it is obviously essential that the motivation for this position be fully explored.

In order to facilitate these discussions we conducted these meetings in private and away from the glare of publicity which, at times, adversely affects the conduct of the discussion themselves.

Decommissioning.

There has been a particular focus on the issue of decommissioning and attempts have been made to reduce the entire focus of the peace process to this one issue.

It is important, therefore, to remember the history of this particular issue.

INTRODUCTION

Sinn Fein is an Irish Republican Party. Our national and democratic objectives are

- National reunification
- Political independence
- National sovereignty

In seeking to achieve this we are committed to wholly peaceful and democratic methods.

We believe the preference of an overwhelming majority is for a representative democracy in a unitary state.

At the core of the Sinn Fein peace strategy is the need for a peace process. The central focus of any peace process is to address the causes of conflict with a view to their resolution.

With others, almost a decade ago, we set about the task of putting such a process in train. The embryonic peace process emerged publicly in 1993 in the first joint statement by Sinn Fein President Gerry Adams and SDLP leader John Hume.

Subsequent political engagements and negotiations involving the British and Irish governments and the political parties in the north of Ireland, with independent international chairs, developed and brought the process to its highest point of development on Good Friday 10 April, 1998.

None of this was achieved easily. There have been profound difficulties for republicans in participating in this process but the Sinn Fein leadership has at all times remained resolutely committed to the peace process.

Good Friday Agreement

From the signing of the Good Friday Agreement in April 1998 until the collapse, on July 15, this year, of the political institutions - a period of some fifteen months - the peace process limped from one unionist-induced crisis to another.

This period of time could have been used to fulfill the huge expectations generated by the Agreement and its endorsement in referenda, north and south, in May of last year. It could have been a period during which the letter and the spirit of the Good Friday Agreement was fully utilized, a period when Irish nationalists, unionists and the British moved towards each other in an effort to put behind us the enmity resulting from centuries of conflict.

It could have been a time when former enemies gave space to each other to learn new ways of thinking, of speaking, of trying to understand one another. A time of certainty and decisive, forward looking leadership to demonstrate that we had turned the corner - that a new chapter had opened in Irish-British history - that compromise, tolerance and the

It is now our considered opinion that David Trimble sees the impasse, generated by his refusal to be part of the political institutions agreed on Good Friday, as an opportunity for unionism to rewrite the Good Friday Agreement.

But the Good Friday Agreement is not a unionist agreement. It is the collective product of inclusive negotiations. It is a compromise between opponents, representing neither victory nor defeat for any one party.

On May 22nd the overwhelming majority of the people of Ireland stamped their ownership on it. The implementation of the Agreement as negotiated carries a democratic imperative.

There is a collective duty on all of us who negotiated and endorsed the Good Friday Agreement to defend it and ensure its implementation. The two governments have a particular responsibility in their overseeing role, to ensure that the agreement is implemented in full and in the current context that onerous responsibility translates to this review.

British Government Stewardship.

While this review was initiated by the two governments, if it is to be objective and effective, it must examine also the roles played by the two governments who are, themselves, participants and parties to the Agreement itself.

The review must examine the causes of the breakdown, including a close examination of the part played by the British government, and it must ultimately identify the source of the breakdown and how, within the terms of the Good Friday Agreement, it should be overcome.

Despite the negative approach of unionism towards the Good Friday Agreement, it is our view that the primary responsibility for the failure to implement it in key areas lies ultimately with the British government.

By indulging David Trimble in his delaying strategy and by pandering to unionist rejectionism the British government has encouraged that intransigence. This began on Good Friday 1998 with a side letter from the British Prime Minister to David Trimble on the issue of decommissioning which was outside the terms of the Agreement.

Within weeks of the Agreement it was developed when Mr. Blair, speaking in Belfast, outlined a unilateral position which moved beyond the terms of the Agreement and which equated exactly with the UUP manifesto position for the elections to the New Assembly in June 1998. Additional to these points, he gave an assurance to Unionism that the RUC would not be disbanded, prejudging the findings of the Independent Commission on Policing and thereby undermining its credibility and independence.

This was quickly followed up in further concessions to unionism with the inclusion of clauses in

Ministerial Council - were not established.

- A different mechanism was established. This resulted in agreement on these matters on 2 December '98. However the UUP reneged on this agreement the following day.
- By reneging, the UUP bought another two weeks of time before finally agreeing on 18 December. Procedural action was deferred for a further two months during which the UUP attempted to again re-negotiate the 18 December agreement.
- On 15 February this finally concluded in the report of the First Minister (Designate) and the Deputy First Minister (Designate) to the Shadow Assembly. The responsibility for establishing the shadow Executive then passed to the British Government.
- The British government promised to trigger d'Hondt on 10 March 1998. They did not fulfill this promise.
- The British government promised to trigger d'Hondt in the week commencing 29 March 1999. They did not fulfill this promise.
- Instead on 1 April in the Hillsborough Declaration - in an attempt to further meet UUP demands - the two governments made proposals on the Executive and on the issue of decommissioning which were outside the terms of the Agreement.
- On 14 May in Downing Street agreement was reached between the two governments, the UUP, the SDLP and Sinn Fein to establish the shadow executive the following week. The UUP reneged on this the following day.
- On 17 May the British government, in a further attempt to appease the UUP, produced new draft Standing Orders for the Assembly in a manner which was outside the terms of the Agreement. This too was rejected by the UUP.
- The British Prime Minister Tony Blair subsequently set 30 June as an absolute deadline for the establishment of the Shadow Executive with the transfer of powers by the two governments to take place on 1 July. This deadline too was breached.
- On Friday 2 July the Way Forward statement by the two governments was issued at Castle Buildings. This was subsequently developed unilaterally by the British government into draft legislation tabled on 12 July which is outside the terms of the Agreement and which would compromise the independence of the International Commission. Tony Blair made commitments in Westminster to compound this breach of the Agreement with additional amendments to the draft legislation. These attempts to meet the UUP's demands also failed.

At every turn the British government has compounded the crisis by pandering to unionism and to those in their own system who seek a security rather than a political way forward.

- Despite the bad faith of the Major government we used our influence to sustain the first IRA cessation for a full seventeen months up to the rejection by John Major of the report of the International Body on Decommissioning.
- After the collapse of the first IRA cessation we undertook a series of political initiatives to put the peace process back on track and succeeded in this in 1997.
- In September 1997 we affirmed our commitment to the Mitchell Principles.
- Throughout the talks process we participated constructively in the work of the liaison sub-committee on decommissioning.
- We secured our party support for the Good Friday Agreement and campaigned for it in both referendums.
- Despite the risk of a destabilising effect on our own constituency, we sought and secured the support of our party membership to amend the Sinn Fein constitution, removing a 75-year ban on members taking seats in any Northern assembly, to allow us to participate fully in the new institutions established in accordance with the terms of the Agreement.
- For the last eighteen months we have continuously used our influence positively to effect its full implementation. We engaged fully and positively in all preparations for setting up the agreed institutions, made detailed submissions to the Independent Commission on Policing and the Criminal Justice Review and had lengthy and positive discussions with both governments on the implementation of the other aspects of the Agreement.
- For the last eighteen months we have worked constructively and in good faith with the Independent Commission on Decommissioning. In so doing we appointed the Sinn Fein Chief Negotiator, Martin Mc Guinness, MP, to meet with the International Commission. He has done so frequently and regularly. Sinn Fein is the only major party to have done so. There is no requirement under the terms of the Agreement that we do so. In taking this initiative we aimed to send a clear and unambiguous signal of the seriousness of our approach to this important issue.
- Most recently, in the Castle Building discussion in late June, we took a further initiative in an attempt to overcome the impasse. This initiative, which was described by the two governments as a seismic shift, was rejected repeatedly by the UUP.

Unfortunately these initiatives did not have the intended effect of ending the political impasse. Rather than acknowledging and responding to these initiatives, and employing them to energize the support that exists within his own party, within the unionist population, and within the north in general for the Agreement, David Trimble retreated, each time, into the sterile politics of demanding decommissioning to block progress.

beginning of a process of reconciliation had replaced domination, intolerance and division.

Instead the last 17 months will be remembered as a time of recrimination, of bitterness, of the sharp word. A period of missed deadlines, broken agreements, of unfilled opportunity.

The failure to establish the Executive and the all-Ireland Ministerial Council is a damaging blow against the Good Friday Agreement. At a time when politics must be seen to work, to deliver change, we have a political vacuum which remains unfilled.

Review.

A review is necessary because of the failure to establish the political institutions agreed on Good Friday 1998 and endorsed in referendums north and south that May. The refusal of the UUP to share power with nationalists and republicans and the consequent collapse of the Executive requires urgent and immediate action by the two governments. It is, in our view, also essential that the two governments expeditiously proceed with the implementation of the other elements of the Agreement.

The Good Friday Agreement was to have established political institutions and structures based on an entirely new approach. To overcome the exclusion - and the deep-seated alienation - of nationalists, these new political structures were to be based on three central elements;

- 1) the primacy of politics and the effective delivery of change through politics;
- 2) the sharing of power equally between unionists and nationalists in the north; and
- 3) substantive all-Ireland institutions.

There are many areas of the Agreement which have not yet been implemented. But there is only one area of the Agreement, which has totally broken down. This is in regards to the political institutions. This is the area that the review should address.

It is critical that the review itself and its conclusions do not depart from the Agreement reached last year.

That Agreement is specific about the conduct of any review. In the period interim to the British-Irish Agreement becoming operative, it allows for two distinct formats for review: That is:

- 1) "aspects of the implementation of...the Agreement will be reviewed at meetings of those parties relevant in the particular case...., under the chairmanship of the British government or the two governments, as may be appropriate"; and
- 2) "representatives of the two governments and all relevant parties may meet under independent chairmanship to review implementation of the Agreement as a whole".

It is our opinion that this review should examine the areas of non-implementation and ensure that these are effectively dealt with.

If it moves beyond this specific issue, it is our view that as prescribed in point (2) above, it must then examine the implementation of the Agreement as a whole. It cannot simply focus on issues whose implementation the UUP are dissatisfied with. It cannot become a cover for the re-

Agreement.

The Review procedures following implementation as set out in the Validation, Implementation and Review section of the GFA include:

- “7. If difficulties arise which require remedial action across the range of institutions, or otherwise require amendment of the British-Irish Agreement or relevant legislation, the process of review will fall to the two Governments in consultation with the parties in the Assembly. Each Government will be responsible for action in its own jurisdiction.”

The wide discretion afforded to the British SOS under the bill allows her to leapfrog this procedure and unilaterally bring about suspension of all the institutions.

The exercise of such open-ended discretion by the British SOS is outside the terms of the GFA.

The Agreement does not provide for unilateral action by the British SOS.

Altering the basis of exclusion of an individual or party

The legislation seeks to alter the basis for the exclusion of individuals or parties from holding office.

The exclusion from office of individuals or parties is provided for in the GFA, paragraph 25, Strand 1 and under Section 30 of the NI Act 1998.

Paragraph 25, Strand 1

“An individual may be removed from office following a decision of the Assembly taken on a cross-community basis, if s/he loses the confidence of the Assembly, voting on a cross-community basis, for failure to meet his or her responsibilities including, inter alia, those set out in the Pledge of Office. Those who hold office should use only democratic, non-violent means, and those who do not should be excluded or removed from office under these provisions.”

Pledge of Office

“To pledge:

.....(b) commitment to non-violence and exclusively peaceful and democratic means.”

Exclusion is dependent on an individual/party failing to adhere to his/her/its commitments under the GFA.

Under the proposed legislation the British SOS or the International Commission can trigger a scenario which may lead to the exclusion of a party/individual on the basis of attitudes or actions by organisations which are not party to the Agreement or by failure of such organisations to take steps which may be defined or specified by the International Commission.

Redefinition of commitments and obligations

The commitments binding on the parties to the GFA are those which are contained in the Agreement.

The proposed legislation seeks to redefine commitments and obligations arising from the GFA.

The full implementation of all aspects of the Good Friday Agreement is essential. It remains the best chance to bring to an end the injustices, inequalities, domination and conflict which have troubled Ireland and its people for generations, and to move the situation forward towards a democratic peace settlement.

Sinn Fein is fully committed to the Good Friday Agreement. Our commitment to the search for an overall peace settlement is absolute.

The failure to implement the Agreement is a source of frustration for all of those who voted for it in the referendum last year.

The Agreement is in crisis because the political institutions have not been established but, of equal importance, is the critical need to see significant and speedy change and progress in the many non institutional aspects of the Agreement, such as Equality, Justice, Human Rights, Policing, Cultural Rights, Demilitarisation and Victims.

The implementation of the overall settlement is the agreed context for addressing and resolving the issue of decommissioning. Sinn Fein has done its best to create that context. We have fulfilled all our obligations under this section of the Agreement. Any objective review will acknowledge this.

But we cannot deliver on demands for IRA weapons. Decommissioning can only come about on a voluntary basis and that means persuading those with weapons that they should dispose of them. This reality is acknowledged and reiterated in the International Commission's report of July 2, 1999.

If others refuse to co-operate in that process of persuasion we, unilaterally, can do no more.

Entitlement to Executive office is dependent only on electoral support and taking and honouring the pledge of office. Sinn Fein is entitled to be part of the Executive. Our electorate is democratically entitled to be represented on an Executive. So too are the electorates of all parties with a sufficient mandate to democratically entitle them to membership of the Executive.

The UUP are denying this right to all sections of the electorate.

Any attempt to exclude Sinn Fein on the basis of a collective failure to achieve decommissioning is beyond the terms of the Agreement and would be totally unacceptable. Any attempt to further delay the establishment of an inclusive executive on this basis is also beyond the terms of the Agreement and would be equally unacceptable.

Conclusion.

The harsh and unpalatable reality we are facing, almost 18 months after the Good Friday Agreement was concluded, is that it has not been implemented, its potential has not been realised and the change which it promised has not materialised.

At a time when many, including the Sinn Féin leadership, have been arguing that politics can and will deliver change, change has been prevented.

At a time when we needed an effective, visible and dynamic alternative to conflict we have been presented with a political vacuum, the abdication of political leadership and the initiative handed to those, on all sides, who want to return to the failures of the past.

No-one should underestimate the depth or seriousness of the crisis we are facing.

If the Good Friday Agreement is to be salvaged, if the peace process is to make progress the British government's approach has to change.

The Good Friday Agreement was signed up to by the British government. It is British government policy. The British government have a responsibility to implement the Agreement as negotiated, not in a manner demanded by the UUP which is outside the terms of the Agreement.

There has been no real movement on demilitarisation;

The RUC continues to be a problem;

No human rights agenda;

We do not have equality;

Isolated communities do not have freedom from sectarian harassment.

All of these are issues of basic rights. They are also key elements of the Agreement. The UUP need to understand that they cannot prevent necessary and long over-due change in these areas.

It would be preferable if the UUP, and unionism generally embraced the spirit and the letter of the Agreement. But the Good Friday Agreement was voted for by a majority of the electorates, north and south. It cannot be subjected to a unionist veto. It has to be implemented. That is the democratic imperative.

The people of Ireland are democratically entitled to see established, without further delay, the structures agreed on Good Friday, and endorsed in subsequent referendums. Sinn Féin is democratically entitled under the terms of the agreement to Executive office and to places on the all-Ireland Ministerial Council. So, too, are all other political parties with a sufficient mandate from the electorate. These are mandatory provisions of the Agreement. They are not subject to the discretion of Mr. Trimble. David Trimble holds the position of First Minister only as part of mandatory power-sharing arrangements. If there is no Deputy First Minister then there can be no First Minister. If there is no Executive then there can be no First Minister.

The test for the two governments, for the Agreement itself and for this review is whether the provisions on democratic entitlement will be defended. The two governments are primarily responsible for ensuring that the provisions of the Agreement are implemented, in the terms and within the time-scales agreed on Good Friday.

negotiation of the terms of the Agreement. It cannot become a cover for yet another re-negotiation on the establishment of the political institutions.

All of this was discussed in detail, negotiated, resolved and agreed last Good Friday.

The UUP have, however, refused to act on this agreement and have repeatedly sought to re-negotiate this element of the Agreement and to tie it, in a manner beyond the terms of the agreement, to the issue of decommissioning.

The shadow institutions should have been in place in July 1998, immediately following the election of the First and Deputy First Ministers. They are still not in place. That is the source of the present impasse.

The UUP have held to their position of "no guns, no government" which is outside the terms of the Agreement.

The reality, both in terms of democratic principles and under the terms of the Good Friday Agreement, is that the only requirement for Executive office is sufficient electoral support and a commitment to peaceful and democratic methods.

A further re-negotiation of this issue to meet UUP demands is totally unacceptable.

This review must therefore examine the failure to implement the agreement in this particular area and indicate how it should be remedied, within the terms agreed on Good Friday 1998.

The Peace Process.

The refusal to establish the Executive and the all-Ireland Ministerial Council and the associated implementation bodies cannot be viewed as an isolated blip in the implementation of the agreement. This is not a difference of interpretation or emphasis. It is in fundamental conflict with the provisions of the agreement. It is undemocratic and a denial of the rights and wishes of the vast majority of people, north and south, who voted for the agreement on May 22 last year.

The refusal to establish the political institutions has blocked progress. But a conflict resolution process cannot stand still - it is either moving forward or it is moving back. And this process is certainly not moving forward at present. This must be a matter of deep concern for everyone.

Central to Sinn Fein's peace strategy is the development of a credible and effective way of achieving political change through peaceful and democratic methods. Collectively we have constructed a peace process which delivered cessations by all the main protagonists - with the obvious exception of the British State forces. Sinn Fein played a key role in delivering the cessation by the IRA in July, 1997, but fundamentally it was the firm and binding political commitments given that inclusive negotiations would begin that assisted

us in convincing the IRA that they should restore their cessation of military operations.

In other words, the IRA cessation was brought about because we were, collectively, able to create the appropriate political context.

The value of that initiative by the IRA should not be underestimated. It underlines the IRA commitment to the search for a lasting peace settlement. It created the conditions for further progress towards that objective.

The key to ensuring that progress is made lies, therefore, in the creation of the required political conditions. That is a collective responsibility. Rather than exploring this sensible option, however, the opposite is now happening. The refusal to establish the political institutions strengthens and encourages the rejectionists, makes our task more difficult, undermines our position and strengthens the position of those that argue that politics cannot deliver real change.

Sinn Féin is committed to the full implementation of the Good Friday Agreement in all its aspects including the provisions on decommissioning. But the greatest threat to all of this is the resistance to change within unionism generally and most critically within the UUP leadership. In effect a unionist veto on progress has been resurrected.

The peace process is not the property of any one party. And it should be remembered that most of the numerous political initiatives over the recent past have been taken by Sinn Féin unilaterally or as part of the wider political leadership of nationalist Ireland.

Sinn Féin's Peace Strategy

Sinn Féin's peace strategy evolved over a 10-year period. In our 'Towards a Lasting Peace' document published in 1991 we argued for the creation of a peace process and identified the measures needed for it to succeed.

- Along with other leaders of nationalist Ireland we played a key role over a period of years in creating the conditions which allowed us to persuade the IRA to call a unilateral cessation of military operations in 1994 and to re-instate this in 1997. The disciplined maintenance of the IRA cessation made the negotiation of the Good Friday Agreement possible.
- In September 1994, before the Mitchell Principles were conceived, our party President Gerry Adams pledged, in conjunction with John Hume and the then Taoiseach Albert Reynolds, our total commitment to democratic and peaceful methods of resolving political problems.
- We engaged positively with the International Body on Decommissioning in 1995 and 1996 in an attempt to resolve the impasse created by John Major's demands for an IRA surrender.

acknowledge that the question of Ireland is the single biggest challenge facing Mr. Blair.

Republicans understand the historic nature and the monumental shifts which are required if the peace process is to succeed. It cannot succeed without Tony Blair. He holds the key.

This process still remains the best chance for peace. If it is to succeed all participants must refocus so that the Agreement is implemented. Only the British government can create the conditions which will bring this about.

The Good Friday Agreement provides the only way forward. It cannot be re-negotiated at the behest of unionism. For Sinn Féin the Agreement is the absolute bottom-line.

Recommendations.

Sinn Féin believes that the review of the implementation of the Agreement should conclude:

- That all parties to the Agreement, including the two governments, have an obligation to implement all aspects of the Agreement.
- That the Agreement has not been implemented in the key area of the political institutions, the Executive, the all-Ireland Ministerial Council, the British-Irish Council and the all-Ireland Implementation Bodies.
- That there is no precondition to the establishment of the Executive, the all-Ireland Ministerial Council and the British-Irish Council other than the elections to mandate their membership which took place in June 1998.
- That there is no precondition to membership of the Executive other than sufficient political support and the taking and honouring of the pledge of office.
- That the Executive, the all-Ireland Ministerial Council and the British-Irish Council should have already been established.
- That the Executive, the all-Ireland Ministerial Council and the British-Irish Council should now be established.
- That the transfer of powers to these institutions should be immediate.
- That the all-Ireland implementation bodies should begin to function immediately.
- That all of the parties have an obligation to work constructively and in good faith with the Independent Commission on Decommissioning and to use any influence they may have to bring about decommissioning.
- That the other elements of the Agreement should continue to be implemented as negotiated and agreed on Good Friday 1998.

country and unequivocally set out our belief that the violence we have seen must be for all of us now a thing of the past, over, done with and gone.

Sinn Fein then appointed Martin McGuinness, our most senior negotiator, as our representative to work with the IICD. These announcements were welcomed and acknowledged as important political initiatives and confidence building measures by the US President Bill Clinton, An Taoiseach, Bertie Ahern and the British Prime Minister, Tony Blair.

These initiatives did not have the desired effect.

The UUP approach to the issue of decommissioning has been tactical throughout. Their publicly stated objective of keeping Sinn Fein out of the Executive has paradoxically made the resolution of this issue much more difficult.

The reality is that for almost 18 months we have been attempting to address this issue in the context of the non-implementation of the Agreement and with the UUP refusing to work in good faith to create more favourable political conditions.

Instead, the UUP have been mis-using this issue to block the establishment of the inclusive political institutions agreed on Good Friday.

The task of attempting to deal with this issue in the context of the non-implementation of the Agreement is virtually impossible. This is a reality acknowledged in the terms of the Agreement itself.

We have lost almost a year and a half, a critical period during which there could have been more significant progress on all aspects of the Good Friday Agreement, including decommissioning. All of the parties to the Agreement, including the UUP, have an obligation to help bring this about but this has not been the case. In addition, the work of the Independent Commission, under the direction of General John de Chastelain, is also undoubtedly made more difficult by the loyalist campaign of violence which has resulted in 10 deaths, more than 160 bomb attacks, the ongoing siege of the people of the Garvaghy Road and scores of Catholic and nationalist families driven from their homes.

Sporadic violence has also continued to emanate from the nationalist and republican community. The Omagh bombing was the most terrible example of this but other killings and beatings have also occurred. Sinn Fein is opposed to all such incidents and we recognise that they make the task of the political parties more difficult. Our project is to bring all such attacks to an end. It was always our view that there would be some degree of residual violence coming out of 30 years of conflict, but it is clear that the process of conflict resolution has had a dramatic effect on the level of conflict and the priority for, and responsibility of political leaderships is to advance the peace process so that all of this becomes a thing of the past.

The politically negative and retarding effect of all of this must be brought to a halt.

debate the situation which led to the suspension or debate and vote on matters arising from the resulting review).

- No person shall hold office as minister, junior minister, chairman or deputy chairman of a statutory committee.
- The operation of the all-Ireland Ministerial Council and the British/Irish Council will be suspended.
- Steps to initiate a Review under the Validation, Implementation and Review section of the Agreement to be taken as soon as practicable after suspension order.

2. The Draft Bill and the Belfast Agreement

The 12 July Bill and the amendments the British Government is committed to:

- redefine the role of the Independent International Commission on Decommissioning;
- redefine the remit of the IICD;
- expand the powers of the British Secretary of State;
- alter the basis of exclusion of an individual or party from ministerial office;
- redefine commitments and obligations arising from the GFA, and
- subvert the wishes of the electorate.

Role of Decommissioning Commission

The remit of the Decommissioning Commission as set out in the GFA is to “monitor, review and verify progress on decommissioning of illegal arms, and....report to both Governments at regular intervals.”

The Annex to the International Commission’s report of 2 July states “the role of the Commission is to facilitate the voluntary decommissioning of firearms, ammunition, explosives and explosive substances (hereinafter referred to as arms) held by paramilitary groups.”

The proposed legislation seeks to redefine the role and remit of the International Commission in a way which goes far beyond what was agreed in the GFA.

The Bill and the amendments to it, mooted by the British government, would give the Commission a proactive role to set ultimata and deadlines and the power to trigger a suspension of all the institutions and initiate potential exclusion scenarios thus conferring political power on the Commission which would be outside the terms of the Agreement. Moreover it would be a specious power. No legislation can make sure that decommissioning happens.

The Bill compromises the independence of the International Commission. It makes it a trigger device for specific political action by the British Secretary of State.

Expansion of the powers of the British Secretary of State (SOS)

The legislation gives the British SOS wide-ranging discretionary powers to suspend the Assembly and other institutions not included or envisaged by the Agreement.

The legislation also allows her to redefine the commitments and obligations arising from the

It is important, therefore, to remember the history of this particular issue.

The peace process publicly emerged more than 6 years ago in April 1993.

When the IRA unilaterally announced their first cessation in 1994, and despite previous assurances that inclusive negotiations would follow from this, the response of the then British government was to demand decommissioning as a means to prevent the commencement of inclusive negotiations in the full knowledge that the IRA would not surrender.

Unionists seized on this demand as a tactical means to obstruct and delay the process of change that has flowed from the peace process itself.

It should also be remembered that if the unionists had had their way, their demands for decommissioning would have prevented the second IRA cessation, would have prevented inclusive negotiations and would have blocked the Good Friday Agreement. The response of the political leadership of unionism throughout has been variously obstructive, negative and reluctant.

For Irish republicans and nationalists decommissioning remains an important but not the central issue. When the guns are silent the challenge is to build on this by providing a viable and peaceful alternative for achieving political change. But despite our own stated position, and in the face of considerable opposition within our own constituency, we have engaged on this issue throughout.

Decommissioning was discussed comprehensively in the negotiations leading up to Good Friday 1998 and is addressed directly in the Agreement itself.

The section on decommissioning makes clear that addressing this issue is dependent on two key elements;
a collective responsibility on all participants to work in good faith with the International Commission; and
the implementation of the overall settlement.

There is no singular responsibility on Sinn Féin or any one party to bring about decommissioning. It is a collective responsibility on all participants and one, which Sinn Féin fully accepts and has acted on. We acknowledge the obligation to work in good faith to bring decommissioning about.

Our approach has been positive throughout. We have fulfilled our obligations as set out in the Good Friday Agreement to work constructively and in good faith with the Independent Commission and, in an attempt to create space for David Trimble we have moved beyond that which is required of us under the terms of the Agreement.

In the aftermath of the deaths of the Quinn children in Ballymoney and the Omagh bombing, Gerry Adams, on 1st September, 1998, stated Sinn Féin's commitment to make conflict a thing

The Way Forward
The joint statement by the two Governments (2nd July 1999)

In approaching the intensive discussions at Castle Buildings in late June of this year, the British Prime Minister, Tony Blair, and the Taoiseach, Bertie Ahern, emphasized the need to return to the Good Friday Agreement. We welcomed that commitment and entered the discussions on that basis.

The Good Friday Agreement is the common ground between all of the parties to it. It has the overwhelming support of the majority of the electorate north and south. It has the support, also, of the British people and the international community. The terms of the Agreement are the only context within which difficulties in the process can be addressed and resolved.

Sinn Féin therefore responded positively to the three principles put forward by the two governments on June 25. It was our belief that, provided there was no attempt to move outside the terms of the GFA, these three principles could provide a basis for moving the stalled process of implementation forward.

The five days of discussions that followed saw these three principles developing to the point of firm proposals. As part of this Sinn Féin made our own proposals in which we offered up a position beyond that required of us in the Good Friday Agreement, which was far in advance of any position we had taken up to that point and which, we were very conscious, would cause us great difficulties within our own constituency.

Within Sinn Féin there were serious differences of opinion on the political prudence of such an initiative.

The two Governments and most of the other parties regarded this initiative as substantive. Indeed, the British Prime Minister described it as a seismic shift.

Regrettably the UUP repeatedly rejected our proposal. The Sinn Féin President, Gerry Adams, and our chief negotiator, Martin McGuinness, put this position directly to the UUP leadership. When it was rejected at this level, we requested and then met with the UUP negotiating team in an attempt to persuade them to respond positively. When they in turn rejected this position we asked to meet their entire Assembly team. This request was refused.

At the end of a week of intensive negotiations the two governments made firm proposals for the transfer of powers which David Trimble agreed to. He subsequently reneged on this agreement and the firm proposals had to be re-designated as a joint statement from the two governments.

The parties were then to consult with their own membership and respond in advance of the July 15 deadline for the establishment of the Executive. These, and other proposals, unilaterally presented by the British Government were rejected by the UUP precipitating the present crisis.

For the Sinn Féin leadership that two weeks were probably the most difficult of the process to date.

Annex 1

Introduction

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The Good Friday Agreement is the bottom line for Sinn Féin.

The terms of the Agreement have been the construct within which we have based our approach to all of the negotiations on implementation since 10 April 1998.

In regards the issue of decommissioning the essential framework, within which this issue is to be addressed with a view to resolution, is to be found in:

- the Obligations in the Agreement on the parties to it;
- the role of the Independent International Commission on Decommissioning (IICD); and
- the remit of the IICD.

These, as agreed, are as follows

Obligations

“3. All participants accordingly reaffirm their commitment to the total disarmament of all paramilitary organisations. They also confirm their intention to continue to work constructively and in good faith with the Independent Commission, and to use any influence they may have, to achieve the decommissioning of all paramilitary arms within two years following endorsement in referendums North and South of the agreement and in the context of the implementation of the overall settlement.”

Good Friday Agreement, 10 April 1998

Role of the International Commission

“7. The role of the Commission is to facilitate the voluntary decommissioning of firearms, ammunition, explosives and explosive substances (hereinafter referred to as arms) held by paramilitary groups.”

Role of the IICD, 2 July 1999

Remit of the International Commission

“4. The Independent Commission will monitor, review and verify progress on decommissioning of illegal arms, and will report to both Governments at regular intervals.”

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1. Draft NI Act 1999

On 12 July 1999 the British Government tabled legislation to make provision for the suspension in certain circumstances of devolved government in the north of Ireland including the operation of the various institutions agreed under the terms of the Good Friday Agreement (GFA).

This headlong rush into fast-track legislation was brought to an abrupt halt by the UUP, when on the evening of 14 July, they made clear they had no intention of nominating ministers for the

Agreement or, failing this, block those elements with which they are unhappy. The net effect is that the British government has steadily moved away from the Good Friday Agreement and towards a Unionist version of it.

UUP

The UUP approach to the implementation of the Agreement and to the concept of political change generally was entirely predictable. In fact it had been well signaled. When, in September 1997, David Trimble walked into the negotiations at Castle Buildings, flanked by representatives of the loyalist paramilitaries, he declared that he was not going in to negotiate with Sinn Féin. He was going in to put Sinn Féin out.

After agreement was reached on Good Friday 1998 his approach remained unchanged. On 1 July 1998 David Trimble was elected First Minister and Séamus Mallon Deputy First Minister. On 20 July in the House of Commons David Trimble made his intentions clear when he said he would seek to have Sinn Féin excluded from office in any Executive.

Since then his strategy has been to assert unionist domination and control of the political process. The objective of that strategy has been to prevent, or reduce, the wide-ranging changes agreed on Good Friday 1998. The public excuse for this - the UUP's principle blocking device - has been Sinn Féin's membership of the proposed Executive. There were early signals of this. For instance, in the UUP publication, "Understanding the Agreement", (May 1998) - only weeks after Good Friday - a range of barriers were outlined to block progress into the indefinite future.

In this document the UUP stated;

"Decommissioning alone, of course, is not enough. Paramilitary organisations must stand down their units and the IRA must indicate that the war is over".

The target of this stock of excuses and demands outside the terms of the Agreement is not Sinn Féin, but the Agreement itself. The objective is to prevent, stall and minimise change of all kinds.

Having reluctantly signed up to the Good Friday Agreement the UUP have sought at every available opportunity to reduce its impact - in essence, to renegotiate it.

The effect of unionist intransigence is to deny the democratic entitlements of all sections of the electorate in the north and the express wishes of the electorates, north and south, who overwhelmingly voted for the Agreement.

David Trimble made and then reneged on one agreement after another, in terms of the all-Ireland institutions on 2nd and 18th December, and on the setting up of the Executive in Downing Street on 14th May. He walked through one deadline after another, 31st October, 10th March, 29th March, 22nd May, June 30th, July 2nd until he collapsed the institutions on July 15.

Ministerial Council - were not established.

- A different mechanism was established. This resulted in agreement on these matters on 2 December '98. However the UUP reneged on this agreement the following day.
- By reneging, the UUP bought another two weeks of time before finally agreeing on 18 December. Procedural action was deferred for a further two months during which the UUP attempted to again re-negotiate the 18 December agreement.
- On 15 February this finally concluded in the report of the First Minister (Designate) and the Deputy First Minister (Designate) to the Shadow Assembly. The responsibility for establishing the shadow Executive then passed to the British Government.
- The British government promised to trigger d'Hondt on 10 March 1998. They did not fulfill this promise.
- The British government promised to trigger d'Hondt in the week commencing 29 March 1999. They did not fulfill this promise.
- Instead on 1 April in the Hillsborough Declaration - in an attempt to further meet UUP demands - the two governments made proposals on the Executive and on the issue of decommissioning which were outside the terms of the Agreement.
- On 14 May in Downing Street agreement was reached between the two governments, the UUP, the SDLP and Sinn Fein to establish the shadow executive the following week. The UUP reneged on this the following day.
- On 17 May the British government, in a further attempt to appease the UUP, produced new draft Standing Orders for the Assembly in a manner which was outside the terms of the Agreement. This too was rejected by the UUP.
- The British Prime Minister Tony Blair subsequently set 30 June as an absolute deadline for the establishment of the Shadow Executive with the transfer of powers by the two governments to take place on 1 July. This deadline too was breached.
- On Friday 2 July the Way Forward statement by the two governments was issued at Castle Buildings. This was subsequently developed unilaterally by the British government into draft legislation tabled on 12 July which is outside the terms of the Agreement and which would compromise the independence of the International Commission. Tony Blair made commitments in Westminster to compound this breach of the Agreement with additional amendments to the draft legislation. These attempts to meet the UUP's demands also failed.

At every turn the British government has compounded the crisis by pandering to unionism and to those in their own system who seek a security rather than a political way forward.

It is now our considered opinion that David Trimble sees the impasse, generated by his refusal to be part of the political institutions agreed on Good Friday, as an opportunity for unionism to rewrite the Good Friday Agreement.

But the Good Friday Agreement is not a unionist agreement. It is the collective product of inclusive negotiations. It is a compromise between opponents, representing neither victory nor defeat for any one party.

On May 22nd the overwhelming majority of the people of Ireland stamped their ownership on it. The implementation of the Agreement as negotiated carries a democratic imperative.

There is a collective duty on all of us who negotiated and endorsed the Good Friday Agreement to defend it and ensure its implementation. The two governments have a particular responsibility in their overseeing role, to ensure that the agreement is implemented in full and in the current context that onerous responsibility translates to this review.

British Government Stewardship.

While this review was initiated by the two governments, if it is to be objective and effective, it must examine also the roles played by the two governments who are, themselves, participants and parties to the Agreement itself.

The review must examine the causes of the breakdown, including a close examination of the part played by the British government, and it must ultimately identify the source of the breakdown and how, within the terms of the Good Friday Agreement, it should be overcome.

Despite the negative approach of unionism towards the Good Friday Agreement, it is our view that the primary responsibility for the failure to implement it in key areas lies ultimately with the British government.

By indulging David Trimble in his delaying strategy and by pandering to unionist rejectionism the British government has encouraged that intransigence. This began on Good Friday 1998 with a side letter from the British Prime Minister to David Trimble on the issue of decommissioning which was outside the terms of the Agreement.

Within weeks of the Agreement it was developed when Mr. Blair, speaking in Belfast, outlined a unilateral position which moved beyond the terms of the Agreement and which equated exactly with the UUP manifesto position for the elections to the New Assembly in June 1998. Additional to these points, he gave an assurance to Unionism that the RUC would not be disbanded, prejudging the findings of the Independent Commission on Policing and thereby undermining its credibility and independence.

This was quickly followed up in further concessions to unionism with the inclusion of clauses in

INTRODUCTION

Sinn Fein is an Irish Republican Party. Our national and democratic objectives are

- National reunification
- Political independence
- National sovereignty

In seeking to achieve this we are committed to wholly peaceful and democratic methods.

We believe the preference of an overwhelming majority is for a representative democracy in a unitary state.

At the core of the Sinn Fein peace strategy is the need for a peace process. The central focus of any peace process is to address the causes of conflict with a view to their resolution.

With others, almost a decade ago, we set about the task of putting such a process in train. The embryonic peace process emerged publicly in 1993 in the first joint statement by Sinn Fein President Gerry Adams and SDLP leader John Hume.

Subsequent political engagements and negotiations involving the British and Irish governments and the political parties in the north of Ireland, with independent international chairs, developed and brought the process to its highest point of development on Good Friday 10 April, 1998.

None of this was achieved easily. There have been profound difficulties for republicans in participating in this process but the Sinn Fein leadership has at all times remained resolutely committed to the peace process.

Good Friday Agreement

From the signing of the Good Friday Agreement in April 1998 until the collapse, on July 15, this year, of the political institutions - a period of some fifteen months - the peace process limped from one unionist-induced crisis to another.

This period of time could have been used to fulfill the huge expectations generated by the Agreement and its endorsement in referenda, north and south, in May of last year. It could have been a period during which the letter and the spirit of the Good Friday Agreement was fully utilized, a period when Irish nationalists, unionists and the British moved towards each other in an effort to put behind us the enmity resulting from centuries of conflict.

It could have been a time when former enemies gave space to each other to learn new ways of thinking, of speaking, of trying to understand one another. A time of certainty and decisive, forward looking leadership to demonstrate that we had turned the corner - that a new chapter had opened in Irish-British history - that compromise, tolerance and the

He sought concession after concession and always beyond the terms of the Agreement. Once given, he sought more.

He allowed the agenda to be set by the 'NO' camp instead of standing by the Good Friday Agreement and giving leadership to those inside unionism who want to look forward not backwards.

He has put party political concerns above the needs of the Good Friday Agreement, above the needs of the peace process.

David Trimble has succeeded in blocking progress and collapsing the institutions. But the responsibility is not his alone.

The peace process cannot be successful if it is subject to a unionist veto. The Good Friday Agreement will never deliver on its undoubted potential if its implementation is filtered through unionism.

Engaging the UUP.

Sinn Fein have attempted to engage positively with the UUP. The UUP's political hostility and negativity to Sinn Fein is a matter of public record. For instance David Trimble refused to talk to or meet with Sinn Fein President, Gerry Adams, until five months after the Agreement. The UUP refused to meet Sinn Fein in bilateral discussions until January this year; a full 9 months after the Agreement was concluded. Nevertheless we are committed to these discussions and believe that they have been of benefit to both our parties.

Over the past 6 weeks Sinn Fein has engaged in a round of discussions with the UUP at various levels, both formal and informal, in a concerted attempt to find a way forward. It is, in our view, critical that there is a greater understanding of each other's positions so that every possibility of salvaging the Good Friday Agreement is fully explored. The UUP are blocking the implementation of the Agreement and it is obviously essential that the motivation for this position be fully explored.

In order to facilitate these discussions we conducted these meetings in private and away from the glare of publicity which, at times, adversely affects the conduct of the discussion themselves.

Decommissioning.

There has been a particular focus on the issue of decommissioning and attempts have been made to reduce the entire focus of the peace process to this one issue.

It is important, therefore, to remember the history of this particular issue.

We were faced with intense opposition within our party to the position we had offered up with many arguing that once again republicans had moved to accommodate unionist intransigence.

This was compounded by the failure of the UUP to respond positively. We were attempting to sell to our own constituency an initiative which had failed to deliver its declared objective of establishing the political institutions.

Finally, and most damagingly, the British government's response to the UUP's negativity was to set about unilaterally interpreting 'The Way Forward' joint statement in proposed legislation.

In their draft legislation (see appendix 1) the British government moved far outside the terms of the Agreement, the agreed context for any resolution, and beyond 'The Way Forward' joint statement, in a number of critical areas. These include:

- Giving the Secretary of State wide discretionary powers to pre-empt the review procedures set out in the Agreement and unilaterally bring about suspension of the institutions established by the Agreement.
- Giving both the Secretary of State and the Independent Commission powers to trigger scenarios which may lead to the exclusion of a party/individual from the Executive on the basis of attitudes or actions by organisations which are not party to the Agreement.
- Redefining the remit of the Independent Commission, compromising its independence, prescribing it a proactive role in setting deadlines and ultimata and giving it political powers to bring about the suspension of the institutions and initiate scenarios which may lead to the exclusion of individuals or parties from the Executive.

The effect of this unilaterally drafted legislation would be the introduction of new conditions and sanctions, specifically targeted at Sinn Féin, which are undemocratic, outside the terms of the Agreement and totally unacceptable.

From our, and the democratic, perspective, the most critical of these is the preparation of legislation which would allow for the expulsion of Sinn Féin from executive office despite our electoral mandate. We regard even the threat of such action as an attack on both the spirit and the letter of the Good Friday Agreement and on the democratic rights and entitlements of the Sinn Féin electorate.

We have made our profound opposition to this draft legislation absolutely clear to both the British and the Irish governments. We cannot accept these provisions and we will continue to oppose them.

Assembly's Executive. But the Bill is still subject to the legislative process from which it can again emerge at a later date.

In addition the British Government have said they will bring forward amendments to the 12 July Bill. British PM Tony Blair said in the British House of Commons on 14 July that the amendments will focus on:

- “- making sure that decommissioning happens, in accordance with the timetable to be laid down by de Chastelain, actually in the Bill; and
- making clear that any breach of that timetable – any breach – will lead to the automatic suspension of the institutions; and
- also to make sure that we can clearly and formally identify the parties that default whether on decommissioning or devolution.”

The 12 July Bill and the additional amendments to it are outside the terms of the Good Friday Agreement.

Circumstances leading to suspension

Under the proposed legislation suspension would occur at any time after the devolution of power and the setting up of the institutions where:

“(a) the Decommissioning Commission reports to the Secretary of State that there has been –

- (i) a failure to meet a commitment relating to decommissioning;
- or
- (ii) a failure to take, in accordance with the Joint Statement, any step referred to in paragraph 5 of that Statement which is specified by the Commission; or

(b) the Secretary of State has reason to believe, after such consultation as she considers necessary, that there has been a failure to meet a commitment relating to devolution.”

The proposed legislation defines a ‘commitment’ as meaning “a commitment arising under the Belfast Agreement or the Joint Statement”.

The amendments referred to by British PM Tony Blair have yet to be tabled. We can only speculate about the wording although the intentions are crystal clear. However it is likely that the first amendment referred to is a draft which was considered by the British Government on 12 July but not written into the Bill will amend clause 1 (1) (a) (ii) to read:

‘a failure to take, within a period specified by the Commission, any step so specified which is of a kind described in the Joint Statement; or’

Effect of suspension

During suspension

- The Assembly nor any committee of the Assembly shall hold any meetings or conduct business, (apart from 2 meetings of the Assembly which the Secretary of State may call to

Failure to meet a commitment relating to decommissioning can relate only to the commitments made in the Agreement.

The proposed legislation implies further undefined commitments on the parties to the GFA arising from the Joint Statement. The Joint Statement is a position agreed between the two governments and is not binding on the parties to the Agreement.

The proposed legislation allows the British SOS to interpret unilaterally ‘commitments’ to devolution and to act in a fundamental way on the basis of her interpretation without due consultation or agreement. Significantly, the Act will not become operative until devolution has taken place.

Bypassing the electorate

The legislation, if enacted, would override the democratically expressed wishes of the electorate.

The endorsement by referendum of the Agreement by a majority of voters north and south was a requirement of the Agreement coming into force.

In the run up to the referenda each household was sent a copy of the Agreement. Voters were asked to make an informed decision based on the actual wording of the Agreement.

Voters in the south were asked additionally to decide on significant constitutional issues.

The terms of the Agreement cannot therefore be changed unilaterally.

the “Northern Ireland Act 1998” which are outside the terms of the Agreement.

The cumulative effect of British government concessions to unionist demands is that 18 months after agreement was reached and endorsed north and south, none of the institutions has been put in place.

Even the Assembly, which has been in a limbo existence since 25 June last year, is not that envisaged in the Good Friday Agreement. It has no powers, no Executive, no statutory committees. Crucially for republicans and nationalists it has no link to any all-Ireland institution. It cannot even meet, and has not met since March, save for the one desperate attempt to breath life into its structures on July 15 this year; a meeting which was bizarrely boycotted by its own First Minister, David Trimble.

On the ground there has been no progress on the equality agenda in terms of its effect on the day to day lives of people. The most recent employment statistics show that Catholic males are almost 3 times more likely to be unemployed than their Protestant counterparts.

The British government has yet to fulfill even the minimal requirement to publish a meaningful demilitarisation strategy.

The people of the Garvaghy Road and other isolated nationalist communities have yet to see evidence of their right to live free from sectarian harassment.

Repressive legislation has not been repealed but strengthened.

The RUC remains unchanged, unable and unwilling to root out the culture of collusion between its members and loyalist paramilitaries and unwilling to challenge wrongdoing within the force. This was seen most starkly in the threats and in the murder of solicitor Rosemary Nelson and the most recent revelations about the murder of Pat Finucane. In regards the latter it is now clear that a British Military Intelligence agent supplied the information and an RUC Special Branch agent supplied the weapons used in this attack. Both gave warnings which were ignored. Rosemary Nelson's murder was part of a catalogue of sectarian loyalist attacks, including several murders, since the Good Friday Agreement.

There is a deep commitment in the republican and nationalist community to the peace process. But there is also deep anger that the Good Friday Agreement - a product of the peace process - has been blocked at every juncture by unionism with the indulgence of the British government.

We have seen a succession of missed deadlines and broken agreements. Time after time the UUP were permitted to buy more time - to sap the momentum of the process - to prevent change.

- The 31 October '98 deadline for completion of a program of work to agree matters for joint and separate implementation was not met.
- The mechanisms for achieving this - the Shadow Executive and the shadow all-Ireland Ministerial Council - were not established.

Agreement or, failing this, block those elements with which they are unhappy. The net effect is that the British government has steadily moved away from the Good Friday Agreement and towards a Unionist version of it.

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The joint statement by the two Governments (2nd July 1999)

In approaching the intensive discussions at Castle Buildings in late June of this year, the British Prime Minister, Tony Blair, and the Taoiseach, Bertie Ahern, emphasized the need to return to the Good Friday Agreement. We welcomed that commitment and entered the discussions on that basis.

The Good Friday Agreement is the common ground between all of the parties to it. It has the overwhelming support of the majority of the electorate north and south. It has the support, also, of the British people and the international community. The terms of the Agreement are the only context within which difficulties in the process can be addressed and resolved.

Sinn Féin therefore responded positively to the three principles put forward by the two governments on June 25. It was our belief that, provided there was no attempt to move outside the terms of the GFA, these three principles could provide a basis for moving the stalled process of implementation forward.

The five days of discussions that followed saw these three principles developing to the point of firm proposals. As part of this Sinn Féin made our own proposals in which we offered up a position beyond that required of us in the Good Friday Agreement, which was far in advance of any position we had taken up to that point and which, we were very conscious, would cause us great difficulties within our own constituency.

Within Sinn Féin there were serious differences of opinion on the political prudence of such an initiative.

The two Governments and most of the other parties regarded this initiative as substantive. Indeed, the British Prime Minister described it as a seismic shift.

Regrettably the UUP repeatedly rejected our proposal. The Sinn Féin President, Gerry Adams, and our chief negotiator, Martin McGuinness, put this position directly to the UUP leadership. When it was rejected at this level, we requested and then met with the UUP negotiating team in an attempt to persuade them to respond positively. When they in turn rejected this position we asked to meet their entire Assembly team. This request was refused.

At the end of a week of intensive negotiations the two governments made firm proposals for the transfer of powers which David Trimble agreed to. He subsequently reneged on this agreement and the firm proposals had to be re-designated as a joint statement from the two governments.

The parties were then to consult with their own membership and respond in advance of the July 15 deadline for the establishment of the Executive. These, and other proposals, unilaterally presented by the British Government were rejected by the UUP precipitating the present crisis.

For the Sinn Féin leadership that two weeks were probably the most difficult of the process to date.

It is important, therefore, to remember the history of this particular issue.

The peace process publicly emerged more than 6 years ago in April 1993.

When the IRA unilaterally announced their first cessation in 1994, and despite previous assurances that inclusive negotiations would follow from this, the response of the then British government was to demand decommissioning as a means to prevent the commencement of inclusive negotiations in the full knowledge that the IRA would not surrender.

Unionists seized on this demand as a tactical means to obstruct and delay the process of change that has flowed from the peace process itself.

It should also be remembered that if the unionists had had their way, their demands for decommissioning would have prevented the second IRA cessation, would have prevented inclusive negotiations and would have blocked the Good Friday Agreement. The response of the political leadership of unionism throughout has been variously obstructive, negative and reluctant.

For Irish republicans and nationalists decommissioning remains an important but not the central issue. When the guns are silent the challenge is to build on this by providing a viable and peaceful alternative for achieving political change. But despite our own stated position, and in the face of considerable opposition within our own constituency, we have engaged on this issue throughout.

Decommissioning was discussed comprehensively in the negotiations leading up to Good Friday 1998 and is addressed directly in the Agreement itself.

The section on decommissioning makes clear that addressing this issue is dependent on two key elements;
a collective responsibility on all participants to work in good faith with the International Commission; and
the implementation of the overall settlement.

There is no singular responsibility on Sinn Féin or any one party to bring about decommissioning. It is a collective responsibility on all participants and one, which Sinn Féin fully accepts and has acted on. We acknowledge the obligation to work in good faith to bring decommissioning about.

Our approach has been positive throughout. We have fulfilled our obligations as set out in the Good Friday Agreement to work constructively and in good faith with the Independent Commission and, in an attempt to create space for David Trimble we have moved beyond that which is required of us under the terms of the Agreement.

In the aftermath of the deaths of the Quinn children in Ballymoney and the Omagh bombing, Gerry Adams, on 1st September, 1998, stated Sinn Féin's commitment to make conflict a thing

debate the situation which led to the suspension or debate and vote on matters arising from the resulting review).

- No person shall hold office as minister, junior minister, chairman or deputy chairman of a statutory committee.
- The operation of the all-Ireland Ministerial Council and the British/Irish Council will be suspended.
- Steps to initiate a Review under the Validation, Implementation and Review section of the Agreement to be taken as soon as practicable after suspension order.

2. The Draft Bill and the Belfast Agreement

The 12 July Bill and the amendments the British Government is committed to:

- redefine the role of the Independent International Commission on Decommissioning;
- redefine the remit of the IICD;
- expand the powers of the British Secretary of State;
- alter the basis of exclusion of an individual or party from ministerial office;
- redefine commitments and obligations arising from the GFA, and
- subvert the wishes of the electorate.

Role of Decommissioning Commission

The remit of the Decommissioning Commission as set out in the GFA is to “monitor, review and verify progress on decommissioning of illegal arms, and....report to both Governments at regular intervals.”

The Annex to the International Commission’s report of 2 July states “the role of the Commission is to facilitate the voluntary decommissioning of firearms, ammunition, explosives and explosive substances (hereinafter referred to as arms) held by paramilitary groups.”

The proposed legislation seeks to redefine the role and remit of the International Commission in a way which goes far beyond what was agreed in the GFA.

The Bill and the amendments to it, mooted by the British government, would give the Commission a proactive role to set ultimata and deadlines and the power to trigger a suspension of all the institutions and initiate potential exclusion scenarios thus conferring political power on the Commission which would be outside the terms of the Agreement. Moreover it would be a specious power. No legislation can make sure that decommissioning happens.

The Bill compromises the independence of the International Commission. It makes it a trigger device for specific political action by the British Secretary of State.

Expansion of the powers of the British Secretary of State (SOS)

The legislation gives the British SOS wide-ranging discretionary powers to suspend the Assembly and other institutions not included or envisaged by the Agreement.

The legislation also allows her to redefine the commitments and obligations arising from the

country and unequivocally set out our belief that the violence we have seen must be for all of us now a thing of the past, over, done with and gone.

Sinn Fein then appointed Martin McGuinness, our most senior negotiator, as our representative to work with the IICD. These announcements were welcomed and acknowledged as important political initiatives and confidence building measures by the US President Bill Clinton, An Taoiseach, Bertie Ahern and the British Prime Minister, Tony Blair.

These initiatives did not have the desired effect.

The UUP approach to the issue of decommissioning has been tactical throughout. Their publicly stated objective of keeping Sinn Fein out of the Executive has paradoxically made the resolution of this issue much more difficult.

The reality is that for almost 18 months we have been attempting to address this issue in the context of the non-implementation of the Agreement and with the UUP refusing to work in good faith to create more favourable political conditions.

Instead, the UUP have been mis-using this issue to block the establishment of the inclusive political institutions agreed on Good Friday.

The task of attempting to deal with this issue in the context of the non-implementation of the Agreement is virtually impossible. This is a reality acknowledged in the terms of the Agreement itself.

We have lost almost a year and a half, a critical period during which there could have been more significant progress on all aspects of the Good Friday Agreement, including decommissioning. All of the parties to the Agreement, including the UUP, have an obligation to help bring this about but this has not been the case. In addition, the work of the Independent Commission, under the direction of General John de Chastelain, is also undoubtedly made more difficult by the loyalist campaign of violence which has resulted in 10 deaths, more than 160 bomb attacks, the ongoing siege of the people of the Garvaghy Road and scores of Catholic and nationalist families driven from their homes.

Sporadic violence has also continued to emanate from the nationalist and republican community. The Omagh bombing was the most terrible example of this but other killings and beatings have also occurred. Sinn Fein is opposed to all such incidents and we recognise that they make the task of the political parties more difficult. Our project is to bring all such attacks to an end. It was always our view that there would be some degree of residual violence coming out of 30 years of conflict, but it is clear that the process of conflict resolution has had a dramatic effect on the level of conflict and the priority for, and responsibility of political leaderships is to advance the peace process so that all of this becomes a thing of the past.

The politically negative and retarding effect of all of this must be brought to a halt.

acknowledge that the question of Ireland is the single biggest challenge facing Mr. Blair.

Republicans understand the historic nature and the monumental shifts which are required if the peace process is to succeed. It cannot succeed without Tony Blair. He holds the key.

This process still remains the best chance for peace. If it is to succeed all participants must refocus so that the Agreement is implemented. Only the British government can create the conditions which will bring this about.

The Good Friday Agreement provides the only way forward. It cannot be re-negotiated at the behest of unionism. For Sinn Féin the Agreement is the absolute bottom-line.

Recommendations.

Sinn Féin believes that the review of the implementation of the Agreement should conclude:

- That all parties to the Agreement, including the two governments, have an obligation to implement all aspects of the Agreement.
- That the Agreement has not been implemented in the key area of the political institutions, the Executive, the all-Ireland Ministerial Council, the British-Irish Council and the all-Ireland Implementation Bodies.
- That there is no precondition to the establishment of the Executive, the all-Ireland Ministerial Council and the British-Irish Council other than the elections to mandate their membership which took place in June 1998.
- That there is no precondition to membership of the Executive other than sufficient political support and the taking and honouring of the pledge of office.
- That the Executive, the all-Ireland Ministerial Council and the British-Irish Council should have already been established.
- That the Executive, the all-Ireland Ministerial Council and the British-Irish Council should now be established.
- That the transfer of powers to these institutions should be immediate.
- That the all-Ireland implementation bodies should begin to function immediately.
- That all of the parties have an obligation to work constructively and in good faith with the Independent Commission on Decommissioning and to use any influence they may have to bring about decommissioning.
- That the other elements of the Agreement should continue to be implemented as negotiated and agreed on Good Friday 1998.

us in convincing the IRA that they should restore their cessation of military operations.

In other words, the IRA cessation was brought about because we were, collectively, able to create the appropriate political context.

The value of that initiative by the IRA should not be underestimated. It underlines the IRA commitment to the search for a lasting peace settlement. It created the conditions for further progress towards that objective.

The key to ensuring that progress is made lies, therefore, in the creation of the required political conditions. That is a collective responsibility. Rather than exploring this sensible option, however, the opposite is now happening. The refusal to establish the political institutions strengthens and encourages the rejectionists, makes our task more difficult, undermines our position and strengthens the position of those that argue that politics cannot deliver real change.

Sinn Féin is committed to the full implementation of the Good Friday Agreement in all its aspects including the provisions on decommissioning. But the greatest threat to all of this is the resistance to change within unionism generally and most critically within the UUP leadership. In effect a unionist veto on progress has been resurrected.

The peace process is not the property of any one party. And it should be remembered that most of the numerous political initiatives over the recent past have been taken by Sinn Féin unilaterally or as part of the wider political leadership of nationalist Ireland.

Sinn Féin's Peace Strategy

Sinn Féin's peace strategy evolved over a 10-year period. In our 'Towards a Lasting Peace' document published in 1991 we argued for the creation of a peace process and identified the measures needed for it to succeed.

- Along with other leaders of nationalist Ireland we played a key role over a period of years in creating the conditions which allowed us to persuade the IRA to call a unilateral cessation of military operations in 1994 and to re-instate this in 1997. The disciplined maintenance of the IRA cessation made the negotiation of the Good Friday Agreement possible.
- In September 1994, before the Mitchell Principles were conceived, our party President Gerry Adams pledged, in conjunction with John Hume and the then Taoiseach Albert Reynolds, our total commitment to democratic and peaceful methods of resolving political problems.
- We engaged positively with the International Body on Decommissioning in 1995 and 1996 in an attempt to resolve the impasse created by John Major's demands for an IRA surrender.

negotiation of the terms of the Agreement. It cannot become a cover for yet another re-negotiation on the establishment of the political institutions.

All of this was discussed in detail, negotiated, resolved and agreed last Good Friday.

The UUP have, however, refused to act on this agreement and have repeatedly sought to re-negotiate this element of the Agreement and to tie it, in a manner beyond the terms of the agreement, to the issue of decommissioning.

The shadow institutions should have been in place in July 1998, immediately following the election of the First and Deputy First Ministers. They are still not in place. That is the source of the present impasse.

The UUP have held to their position of "no guns, no government" which is outside the terms of the Agreement.

The reality, both in terms of democratic principles and under the terms of the Good Friday Agreement, is that the only requirement for Executive office is sufficient electoral support and a commitment to peaceful and democratic methods.

A further re-negotiation of this issue to meet UUP demands is totally unacceptable.

This review must therefore examine the failure to implement the agreement in this particular area and indicate how it should be remedied, within the terms agreed on Good Friday 1998.

The Peace Process.

The refusal to establish the Executive and the all-Ireland Ministerial Council and the associated implementation bodies cannot be viewed as an isolated blip in the implementation of the agreement. This is not a difference of interpretation or emphasis. It is in fundamental conflict with the provisions of the agreement. It is undemocratic and a denial of the rights and wishes of the vast majority of people, north and south, who voted for the agreement on May 22 last year.

The refusal to establish the political institutions has blocked progress. But a conflict resolution process cannot stand still - it is either moving forward or it is moving back. And this process is certainly not moving forward at present. This must be a matter of deep concern for everyone.

Central to Sinn Fein's peace strategy is the development of a credible and effective way of achieving political change through peaceful and democratic methods. Collectively we have constructed a peace process which delivered cessations by all the main protagonists - with the obvious exception of the British State forces. Sinn Fein played a key role in delivering the cessation by the IRA in July, 1997, but fundamentally it was the firm and binding political commitments given that inclusive negotiations would begin that assisted

At a time when many, including the Sinn Féin leadership, have been arguing that politics can and will deliver change, change has been prevented.

At a time when we needed an effective, visible and dynamic alternative to conflict we have been presented with a political vacuum, the abdication of political leadership and the initiative handed to those, on all sides, who want to return to the failures of the past.

No-one should underestimate the depth or seriousness of the crisis we are facing.

If the Good Friday Agreement is to be salvaged, if the peace process is to make progress the British government's approach has to change.

The Good Friday Agreement was signed up to by the British government. It is British government policy. The British government have a responsibility to implement the Agreement as negotiated, not in a manner demanded by the UUP which is outside the terms of the Agreement.

There has been no real movement on demilitarisation;
The RUC continues to be a problem;
No human rights agenda;
We do not have equality;
Isolated communities do not have freedom from sectarian harassment.

All of these are issues of basic rights. They are also key elements of the Agreement. The UUP need to understand that they cannot prevent necessary and long over-due change in these areas.

It would be preferable if the UUP, and unionism generally embraced the spirit and the letter of the Agreement. But the Good Friday Agreement was voted for by a majority of the electorates, north and south. It cannot be subjected to a unionist veto. It has to be implemented. That is the democratic imperative.

The people of Ireland are democratically entitled to see established, without further delay, the structures agreed on Good Friday, and endorsed in subsequent referendums. Sinn Féin is democratically entitled under the terms of the agreement to Executive office and to places on the all-Ireland Ministerial Council. So, too, are all other political parties with a sufficient mandate from the electorate. These are mandatory provisions of the Agreement. They are not subject to the discretion of Mr. Trimble. David Trimble holds the position of First Minister only as part of mandatory power-sharing arrangements. If there is no Deputy First Minister then there can be no First Minister. If there is no Executive then there can be no First Minister.

The test for the two governments, for the Agreement itself and for this review is whether the provisions on democratic entitlement will be defended. The two governments are primarily responsible for ensuring that the provisions of the Agreement are implemented, in the terms and within the time-scales agreed on Good Friday.

The full implementation of all aspects of the Good Friday Agreement is essential. It remains the best chance to bring to an end the injustices, inequalities, domination and conflict which have troubled Ireland and its people for generations, and to move the situation forward towards a democratic peace settlement.

Sinn Fein is fully committed to the Good Friday Agreement. Our commitment to the search for an overall peace settlement is absolute.

The failure to implement the Agreement is a source of frustration for all of those who voted for it in the referendum last year.

The Agreement is in crisis because the political institutions have not been established but, of equal importance, is the critical need to see significant and speedy change and progress in the many non institutional aspects of the Agreement, such as Equality, Justice, Human Rights, Policing, Cultural Rights, Demilitarisation and Victims.

The implementation of the overall settlement is the agreed context for addressing and resolving the issue of decommissioning. Sinn Fein has done its best to create that context. We have fulfilled all our obligations under this section of the Agreement. Any objective review will acknowledge this.

But we cannot deliver on demands for IRA weapons. Decommissioning can only come about on a voluntary basis and that means persuading those with weapons that they should dispose of them. This reality is acknowledged and reiterated in the International Commission's report of July 2, 1999.

If others refuse to co-operate in that process of persuasion we, unilaterally, can do no more.

Entitlement to Executive office is dependent only on electoral support and taking and honouring the pledge of office. Sinn Fein is entitled to be part of the Executive. Our electorate is democratically entitled to be represented on an Executive. So too are the electorates of all parties with a sufficient mandate to democratically entitle them to membership of the Executive.

The UUP are denying this right to all sections of the electorate.

Any attempt to exclude Sinn Fein on the basis of a collective failure to achieve decommissioning is beyond the terms of the Agreement and would be totally unacceptable. Any attempt to further delay the establishment of an inclusive executive on this basis is also beyond the terms of the Agreement and would be equally unacceptable.

Conclusion.

The harsh and unpalatable reality we are facing, almost 18 months after the Good Friday Agreement was concluded, is that it has not been implemented, its potential has not been realised and the change which it promised has not materialised.

Agreement.

The Review procedures following implementation as set out in the Validation, Implementation and Review section of the GFA include:

“7. If difficulties arise which require remedial action across the range of institutions, or otherwise require amendment of the British-Irish Agreement or relevant legislation, the process of review will fall to the two Governments in consultation with the parties in the Assembly. Each Government will be responsible for action in its own jurisdiction.”

The wide discretion afforded to the British SOS under the bill allows her to leapfrog this procedure and unilaterally bring about suspension of all the institutions.

The exercise of such open-ended discretion by the British SOS is outside the terms of the GFA.

The Agreement does not provide for unilateral action by the British SOS.

Altering the basis of exclusion of an individual or party

The legislation seeks to alter the basis for the exclusion of individuals or parties from holding office.

The exclusion from office of individuals or parties is provided for in the GFA, paragraph 25, Strand 1 and under Section 30 of the NI Act 1998.

Paragraph 25, Strand 1

“An individual may be removed from office following a decision of the Assembly taken on a cross-community basis, if s/he loses the confidence of the Assembly, voting on a cross-community basis, for failure to meet his or her responsibilities including, inter alia, those set out in the Pledge of Office. Those who hold office should use only democratic, non-violent means, and those who do not should be excluded or removed from office under these provisions.”

Pledge of Office

“To pledge:

.....(b) commitment to non-violence and exclusively peaceful and democratic means.”

Exclusion is dependent on an individual/party failing to adhere to his/her/its commitments under the GFA.

Under the proposed legislation the British SOS or the International Commission can trigger a scenario which may lead to the exclusion of a party/individual on the basis of attitudes or actions by organisations which are not party to the Agreement or by failure of such organisations to take steps which may be defined or specified by the International Commission.

Redefinition of commitments and obligations

The commitments binding on the parties to the GFA are those which are contained in the Agreement.

The proposed legislation seeks to redefine commitments and obligations arising from the GFA.

beginning of a process of reconciliation had replaced domination, intolerance and division.

Instead the last 17 months will be remembered as a time of recrimination, of bitterness, of the sharp word. A period of missed deadlines, broken agreements, of unfilled opportunity.

The failure to establish the Executive and the all-Ireland Ministerial Council is a damaging blow against the Good Friday Agreement. At a time when politics must be seen to work, to deliver change, we have a political vacuum which remains unfilled.

Review.

A review is necessary because of the failure to establish the political institutions agreed on Good Friday 1998 and endorsed in referendums north and south that May. The refusal of the UUP to share power with nationalists and republicans and the consequent collapse of the Executive requires urgent and immediate action by the two governments. It is, in our view, also essential that the two governments expeditiously proceed with the implementation of the other elements of the Agreement.

The Good Friday Agreement was to have established political institutions and structures based on an entirely new approach. To overcome the exclusion - and the deep-seated alienation - of nationalists, these new political structures were to be based on three central elements;

- 1) the primacy of politics and the effective delivery of change through politics;
- 2) the sharing of power equally between unionists and nationalists in the north; and
- 3) substantive all-Ireland institutions.

There are many areas of the Agreement which have not yet been implemented. But there is only one area of the Agreement, which has totally broken down. This is in regards to the political institutions. This is the area that the review should address.

It is critical that the review itself and its conclusions do not depart from the Agreement reached last year.

That Agreement is specific about the conduct of any review. In the period interim to the British-Irish Agreement becoming operative, it allows for two distinct formats for review: That is;

- 1) "aspects of the implementation of...the Agreement will be reviewed at meetings of those parties relevant in the particular case...., under the chairmanship of the British government or the two governments, as may be appropriate"; and
- 2) "representatives of the two governments and all relevant parties may meet under independent chairmanship to review implementation of the Agreement as a whole".

It is our opinion that this review should examine the areas of non-implementation and ensure that these are effectively dealt with.

If it moves beyond this specific issue, it is our view that as prescribed in point (2) above, it must then examine the implementation of the Agreement as a whole. It cannot simply focus on issues whose implementation the UUP are dissatisfied with. It cannot become a cover for the re-

- Despite the bad faith of the Major government we used our influence to sustain the first IRA cessation for a full seventeen months up to the rejection by John Major of the report of the International Body on Decommissioning.
- After the collapse of the first IRA cessation we undertook a series of political initiatives to put the peace process back on track and succeeded in this in 1997.
- In September 1997 we affirmed our commitment to the Mitchell Principles.
- Throughout the talks process we participated constructively in the work of the liaison sub-committee on decommissioning.
- We secured our party support for the Good Friday Agreement and campaigned for it in both referendums.
- Despite the risk of a destabilising effect on our own constituency, we sought and secured the support of our party membership to amend the Sinn Fein constitution, removing a 75-year ban on members taking seats in any Northern assembly, to allow us to participate fully in the new institutions established in accordance with the terms of the Agreement.
- For the last eighteen months we have continuously used our influence positively to effect its full implementation. We engaged fully and positively in all preparations for setting up the agreed institutions, made detailed submissions to the Independent Commission on Policing and the Criminal Justice Review and had lengthy and positive discussions with both governments on the implementation of the other aspects of the Agreement.
- For the last eighteen months we have worked constructively and in good faith with the Independent Commission on Decommissioning. In so doing we appointed the Sinn Fein Chief Negotiator, Martin Mc Guinness, MP, to meet with the International Commission. He has done so frequently and regularly. Sinn Fein is the only major party to have done so. There is no requirement under the terms of the Agreement that we do so. In taking this initiative we aimed to send a clear and unambiguous signal of the seriousness of our approach to this important issue.
- Most recently, in the Castle Building discussion in late June, we took a further initiative in an attempt to overcome the impasse. This initiative, which was described by the two governments as a seismic shift, was rejected repeatedly by the UUP.

Unfortunately these initiatives did not have the intended effect of ending the political impasse. Rather than acknowledging and responding to these initiatives, and employing them to energize the support that exists within his own party, within the unionist population, and within the north in general for the Agreement, David Trimble retreated, each time, into the sterile politics of demanding decommissioning to block progress.