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4 September 2003

Major Progress On Independent Monitoring Commission: Murphy

The Secretary of State for Northern Ireland, Paul Murphy MP, today announced major progress towards the establishment of the Independent Monitoring Commission, a key part of the package of proposals published by the British and Irish Governments on 1 May to bring about the restoration of devolved government and the full implementation of the Belfast Agreement.

The British and Irish Governments have published today the International Agreement establishing the Commission. The Agreement sets out in detail the role and functions of the Commission and how it will operate. It will be formally ratified by the two Governments later in the Autumn.

The British Government has also announced that legislation will be introduced in Parliament next week to amend the Northern Ireland Act 1998 in line with the Agreement on Monitoring and Compliance published on 1 May.

The Secretary of State said: **"Both we and the Irish Government have been clear that we would press ahead as far as we could with implementing our proposals for rebuilding the trust and confidence necessary for the restoration of stable and inclusive devolved government in Northern Ireland.**

"The swift establishment of the Independent Monitoring Commission is a key element of this package. I believe that it will play a valuable role in helping to provide assurance that the necessary moves towards a genuinely peaceful and democratic society with stable devolved government that we want to see are real and permanent.

"The International Agreement we are publishing today makes clear what the functions of the Commission will be and how it will be expected to go about its work. We hope to formally ratify it and to pass the necessary legislation at Westminster as soon as possible.

Where matters referred to the Commission relate to the operation of the institutional arrangements under Strand One of the Belfast Agreement they will be considered only by those members appointed by the British Government."

The names of the four Commissioners have also been announced. They are John Grieve, formerly a senior officer in the Metropolitan Police; Lord Alderdice, the first Presiding Officer of the Northern Ireland Assembly; Joseph Brosnan, former Secretary General of the Department of Justice in Ireland; and Richard Kerr, a former Deputy Director of Central Intelligence in the United States.

"I am delighted that we have secured the services of four such high-calibre individuals to serve as Commissioners."

Notes to Editors

1. The establishment of the Independent Monitoring Commission is part of the package of proposals published by the British and Irish Governments on 1 May aimed at rebuilding trust and confidence and the full implementation of the Belfast Agreement. The two Governments agreed at the BIIGC on 2 July to press ahead with those elements of the proposals not dependent on acts of completion by paramilitaries.

2. The Commission will have three functions:

- monitoring and reporting on the incidence of alleged paramilitary activity;
- at its discretion, investigating claims by Northern Ireland Assembly parties that individual Ministers or Assembly parties are in breach of their commitments under the pledge of office in the Belfast Agreement;
- reporting on the progress of any formal programme of security normalisation undertaken by the British Government in the context of acts of completion by paramilitaries.

In respect of allegations concerning paramilitary activity or breaches of the pledge of office, the Commission will have the discretion to make recommendations about what measures Assembly parties might consider taking against individual Ministers or parties if they consider such action justified.

3. The Commission will be formally established by an International Agreement between the British and Irish Governments. This will allow it to function in both jurisdictions with the necessary support and assistance from the two Governments. British and Irish domestic legislation will also be necessary in order to place the Commission on an appropriate statutory footing in both jurisdictions. The draft International Agreement published today has been agreed in substance between the two Governments. It will be formally signed and ratified in the Autumn in line with British and Irish procedures.

4. The **International Agreement** sets out the Commission's duties and responsibilities in respect each of its three roles. In doing so it makes clear that insofar as a complaint relates to the operation of the institutions under Strand One of the Belfast Agreement, only the members of the Commission appointed by the British Government will consider the matter. The International Agreement also contains provisions relating to immunities, funding, protection of information and the publication of reports.

5. The Government will introduce a **Bill** relating to the Monitoring Commission on Monday 8 September. The Bill will seek to amend the 1998 Northern Ireland Act in line with the Agreement on Monitoring and Compliance published by the Governments on 1 May to provide the necessary powers for the Northern Ireland Assembly and the British Government to respond to the Commission's recommendations. It will also contain provision relating to arrangements for funding the Commission; the conferral of immunities; and the treatment of information.

6. The Commission will be formally established when the International Agreement is ratified by the British and Irish Governments, but is expected to meet to plan its work in the course of September.

7. The Commission and its members will be independent. The two United Kingdom members have been appointed by the British Government. The Irish member has been appointed by the Irish Government. The fourth member, from the United States, is appointed jointly by the British and Irish Governments.

8. **John Grieve** retired from the Metropolitan Police in 2002 having most recently been Director of the Racial and Violent Crime Task Force. Prior to that he led the Metropolitan Police Service Intelligence Project and the Anti-Terrorist Squad as National Co-ordinator. **Lord Alderdice** was leader of the Alliance party from 1987 to 1998 and was appointed to the House of Lords in 1996. In 1998 he was elected to the Northern Ireland Assembly and appointed Speaker. **Joseph Brosnan** retired in 2002 as Director General, Institute of

European Affairs. Prior to that he held the post of Secretary, Department of Justice. **Richard Kerr** was Deputy Director of Central Intelligence in the United States from 1989 to 1992.

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