

Fourth Princess Maha Chakri Sirindhorn Lecture
on International Humanitarian Law

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**“Violence and Armed Conflicts: Challenges of
Prevention, Protection and Reconciliation in
International Law – the Case of Northern Ireland”**

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"Ireland affirms its devotion to the ideal of peace and friendly cooperation amongst nations founded on international justice and morality". [Article 29 of Irish Constitution]

This excerpt from the Irish Constitution of 1937 demonstrates that from the early days of statehood Ireland was committed to a multilateral approach, respect for international law and the pursuit of peace. These core principles have underpinned our foreign policy throughout the history of the Irish state and continue to do so today.

Our participation in the United Nations and the European Union is an expression of these principles. The establishment of each of these organisations marked crucial moments in human history. Organisations founded on the premise of respect for human rights and the importance of justice, equality and the rule of law; organisations which stand as a global acknowledgement of an obvious truth, that the interests of mankind are best served when countries settle disputes peacefully.

This shift in the international order has not been sufficient to end conflict but it has meant that wars are regarded as the exception to the rule of international order, not its primary determinant. This has focussed attention on the question of how they can be resolved, preferably swiftly and in a just and equitable manner. This is not a simple question – the causes of conflict are diverse and complex and, as a result, the solutions are equally varied and intricate. We in Ireland are all too keenly aware of this.

The conflict which ravaged Northern Ireland for over three decades had many elements, and the peace process which finally succeeded in bringing that conflict to an end had even more. I would like to reflect on what we have achieved and on the work still needed to reconcile a long divided place - so that the move from conflict to peace can be followed by a move to a normal and shared society.

For if the origins of conflicts have many roots, the features of a peaceful society are common – a respect for the rights and dignity of the citizen, a commitment to the rule of law and accountability and opportunity for everyone to develop their full human potential; in sum a fair, equal and inclusive society.

The Peace Process

I will not rehearse the history of the conflict in Northern Ireland except to say that, in the period before the current peace process began, it was a place beset by all of the problems that conflict invariably brings with it. There was violence, division, political stasis, hatred and all of the accompanying difficulties of reduced economic opportunity and educational disadvantage.

Within this were two divergent and competing ideologies – unionists who prefer to continue to support the Union with Great Britain and nationalists who wished to see a sovereign United Ireland.

However, in spite of all the years of darkness and despair, there were still many who nurtured a flame of hope that a just and fair peace was possible and that a way forward could be found. It was that hope and those people who paved Ireland's path to peace.

What were the milestones along the way – the key elements which made the Good Friday Agreement of 1998 a comprehensive lasting foundation for peace after so many years of conflict?

The 1985 Agreement

As a measure of the complexity of resolving a conflict, even one which fell under the guardianship of two stable democratic administrations, the Irish and British Governments only began to formally cooperate in resolving it with the signing of the Anglo-Irish Agreement in 1985.

This Agreement established formal structures for cooperation and an agenda to tackle many of the underlying causes of the conflict, including political arrangements, rights and identity, confidence in the administration of justice and the security forces, cross-border and inter-parliamentary cooperation, and a range of other matters.

Steady, if at times slow, progress on these issues continued in parallel with campaigns of violence. Almost ten years later, through a series of talks and choreographed statements and actions, the 1994 ceasefires were announced. Talks began in earnest, leading to the Good Friday Agreement in 1998.

The Good Friday Agreement 1998

The Good Friday Agreement is truly a significant and historic document; one in which I as the Irish Foreign Minister am proud and privileged to have had a part in creating. It is predicated on a number of fundamental principles. Partnership, equality and mutual respect were not only contained in the aspirational, pre-ambular language of the Agreement but are present in real and tangible ways in the governmental structures established by the Agreement.

The Agreement provides for an institutional framework entirely dependant on the two communities working in a cooperative manner with each other. This denoted clearly a new start - an Assembly and an Executive based on power-sharing between the elected representatives of the unionist and nationalist communities, in order to ensure a governance structure which worked for the benefit of all of the people in Northern Ireland.

There is also a strong human rights focus in the Agreement. The parties to the Agreement specifically dedicated themselves to the achievement of reconciliation, tolerance and mutual trust, and to the protection and vindication of the human rights of all. This dedication permeates the letter and spirit of the Agreement and has served as the engine for the undreamt of progress which we have achieved over the last ten years.

The substantive human rights commitments set out in the Agreement, most of which have been fully implemented at this point, had their roots in international norms. One significant and ongoing outworking of the Agreement in this area is the establishment of the Irish Human Rights Commission and the Northern Ireland Human Rights Commission. These important bodies work individually and jointly in seeking to ensure a shared future of equality, respect and tolerance for all on the island of Ireland.

The text of the Agreement underscores the primacy of dialogue over violence by containing an unequivocal undertaking that commits all parties to exclusively peaceful and democratic means to solve their differences. This reflects in words the extraordinary shift which had taken place in Northern Ireland in the years leading up to the Agreement.

As I said earlier, there are two divergent and competing ideologies in Northern Ireland – nationalist and unionist. A key question was how any Agreement could accommodate these often conflicting viewpoints without compromising the political aspirations of either side. The solution to this conundrum was addressed through the formulation of the principle of consent.

The Agreement recognises the legitimacy of whatever choice is freely exercised by a majority of the people of Northern Ireland with regard to its constitutional status, whether they prefer to continue to support the Union with Great Britain or a sovereign United Ireland. This acknowledges the current constitutional status of Northern Ireland as part of the United Kingdom while also providing for the possibility of change by peaceful and democratic means. Crucially this meant that the parties to the Agreement did not need to abandon or compromise their deeply held beliefs, while allowing political progress to take place.

An important element of this section of the Agreement is that it explicitly recognised the birthright of all the people of Northern Ireland to identify themselves as Irish or British or both as they may so choose. This last provision is particularly welcome as it opens up a new space for the people of Northern Ireland in how they define themselves. This is an increasingly important feature on the island as a whole as we seek to celebrate the diversity of all of our people.

One final point which I wish to highlight is the fact that the Agreement was put to the people of the island of Ireland North and South for their approval, in referenda on the same day, 22 May 1998. The result was a resounding endorsement on both sides of the border which demonstrated without question that this was what the people wanted. There could be no going back. In the difficult times yet to come, political leaders would always have the reassurance that - by working within the Institutions and according to the principles of the Agreement - they were being truly representative of the democratically-expressed wishes of the people.

The Human Dimension

I have spoken a little about the content of the Agreement but - in my view - the crucial ingredient for the success of the peace process in Northern Ireland is down to one key element: people within communities who worked for peace - one relationship, one meeting at a time.

People at every level within Northern Ireland – and indeed throughout Britain and the island of Ireland as a whole - wanted a positive change; they wanted something better for themselves and for their children. Translating that desire for peace was a challenge – a challenge to patience, to endurance, above all a challenge to a hope for peace so regularly dashed by acts of inhumanity.

Perhaps the most important moves were at community and grassroots level where ordinary people took extraordinary steps to show that a different way was possible.

The women in council estates - who walked across peace lines to speak to the women on the other side. Women who they found were just like them - with the same everyday worries about keeping a home and raising a family. Women who also faced the more fearsome worries associated with Northern Ireland - losing a family member to violence or having their children getting caught up in sectarian strife, or being intimidated for walking though the wrong side of the city.

People like this who decided that they had had enough and who were courageous enough to demonstrate that those who claimed violence was the answer did not represent their wishes or aspirations.

This type of bravery, this vindication of the inherent generosity and empathy which exists within us that I see every day in the work of organisations such as the Red Cross. The work of the International Committee of the Red Cross in seeking to alleviate human suffering in crisis situations all over the world serves as a reminder to us all that that we are all connected and we all have a responsibility to each other.

Political Leadership

In Northern Ireland this spirit of common humanity – the bravery of ordinary people who reached out to the other community - shored up the confidence of political leaders who wanted to make progress and to engage in real negotiation, but who nonetheless needed the reassurance that doing so was what the people wanted.

And what political leadership was needed to bring the Agreement and the talks process to fruition:

- An unprecedented relationship and friendship between the Irish and British Prime Ministers Bertie Ahern and Tony Blair – both young men relatively unfettered by the bonds of history which had for so long held back progress between Britain and Ireland.

- Political leaders in Northern Ireland who took real risks in stepping away from the politics of division; who sought to find a better way for their community by building a better way for all communities. Individuals who saw an opportunity to build a better future and took it – took it and stuck with it even in the times where it was neither popular nor safe nor politically wise to do so. Such actions are what set great leaders apart.
- And there are countless others – church and community leaders, officials in both Governments, former leaders, who laid the groundwork in the decades before by building relationships and trust.

The International Dimension

Ireland and Britain, although the key governmental actors in the Northern Ireland process, could not and did not succeed alone. The international dimension was a crucial one and one which was multifaceted in itself.

Perhaps the most visible and certainly a very significant contributor was the United States of America. The provision of that most ingenious and determined of Talks Chairmen in George Mitchell was backed up by the personal involvement and support of President Clinton and a range of Senators, Congressmen, Governors and business people. I am very pleased that George Mitchell, who played such a central role in the peace process of Northern Ireland, has been appointed to the crucial position of Special Envoy on the Middle East under President Obama.

The engagement of America in Northern Ireland never wavered and I am pleased to say continues to this day, through the ongoing support of President Obama and the current Congress, acting in a truly bi-partisan approach in support of peace in Ireland. The newly appointed Secretary of State Hillary Clinton has, of course, a special relationship with Ireland from her visits there as First Lady and I know that this will continue as she take on her new role.

Other friends such as Finland and Canada provided key personnel to act as external observers and arbitrators around sensitive issues such as the decommissioning of weapons by paramilitaries and the oversight of policing reform. This brought an important level of demonstrably independent expertise at crucial times.

And of course the European Union – itself an organisation born out of a desire to see an end to conflict between neighbours-provided support in financial terms, but also and perhaps more significantly in providing a safe space for Ireland and Britain to engage as equals across a range of issues allowing trust and friendship to develop at both political and official level.

Promoting Mutual Understanding and Reconciliation

"But peace does not rest in the charters and covenants alone. It lies in the hearts and minds of all people. So let us not rest all our hopes on parchments and on paper, let us strive to build peace, a desire for peace a willingness to work for peace in the hearts and minds of all of people. I believe we can."

These are the words of President John F Kennedy and they resonate very much with me when I think of where Northern Ireland is today. Ten years after the Good Friday Agreement, there is so much to celebrate – there is peace on the streets, the ugly hardware of conflict has been removed from towns and villages, the power-sharing institutions are functioning, and steps are being taken to develop an economy stagnated for too many years by conflict.

However, it is important to understand that a political agreement cannot of itself mend a society that has been broken and bruised for more than a generation. Trust and relationships at political level are vital and important, but long term stability depends on those qualities being mainstreamed in society. A society where separation was the norm for several decades takes time and work to become fully normal, comfortable and at peace with itself. It is this process of healing and normalising that we are engaged in at the moment.

There are a number of elements to this. First is the development and implementation of policies which set the foundations for a shared and inclusive future. This is in the hands of the Northern Ireland Executive who have clearly indicated their commitment to a better Northern Ireland for all. A place where so-called 'peace walls' do not scar the faces of housing estates. A place where protestant and catholic, nationalist and unionist can live together in the same street and where their children can be educated in the same schools.

In order to achieve this, it is also essential to build trust at community level. This is clearly possible and there are many inspiring examples of groups in Northern Ireland who have taken initiatives to work together to demonstrate the advantages and synergies which can be achieved when the people of an area – regardless of religious or political affiliation – work together for the benefit of everyone.

In all of this, it is essential that there is a focus on young people. We all have a responsibility to ensure a better life for our children and this includes not passing to them the burden of the troubles we have suffered. We should all echo the words of Thomas Paine when he said:

"If there must be trouble let it be in my day, that my child may have peace."

The children of Northern Ireland today have peace. As a result, there are opportunities and possibilities open to them which were undreamt of by previous generations. There is a shared duty on us all to ensure that those possibilities can be realised to the full.

The promotion of trust and understanding is not restricted to Northern Ireland itself – there is a great deal of work ongoing to develop a new kind of relationship between North and South – between Northern Ireland and the Republic of Ireland. There is practical political cooperation in areas such as health, education and transport which brings tangible benefits to all the people of the island.

There is also relationship building of another kind – a rediscovery of relationships – particularly with the unionist community. The celebration of the history of all of the people of Ireland – for example, through the development of key historic and once-divisive sites such as that of the Battle of the Boyne - demonstrates a new dawn where both the catholic and protestant traditions on the island are cherished and honoured.

This is an important signal that times have changed and that history threatens no one.

Ireland and Conflict Resolution

I have outlined for you some of the milestones on the journey of Northern Ireland from conflict to peace. I wish to emphasise that the different paths to our peace cannot be a roadmap for conflict resolution easily transferred or instantly applicable to other conflicts.

But we have learned lessons that may inspire others to embark on their own journeys. We can I think make our own distinctive contribution to the collective effort to understanding and resolving conflict. In recognition of that the Irish Government has taken the decision to establish a conflict resolution unit so that we could make a contribution to peace building in other parts of the world.

In creating our own distinctive contribution to international conflict resolution, we were intent to incorporate the values that have informed Ireland's international role and activities. This includes a belief in the primary role of the UN, in the rule of international law and above all in the essential value of human rights.

We have a long contribution to UN peace keeping through the contribution and at times sacrifice of our Permanent Defence Forces.

We have a strong civil society and NGO community deeply engaged in developing world, a tradition founded by our missionaries, men and women who worked to alleviate hunger and suffering in some of the most afflicted countries in Africa and the wider world.

As members of the European Union, we believe that the EU can play an increasingly robust role peacemaking and peacebuilding initiatives.

Through the Northern Ireland peace process, we have learned lessons about the nature of conflict, how to manage negotiations, how to assure the implementation of agreements and how to ensure that the generators of instability and conflict are dismantled.

We have learned that peace making and peace building take years, possibly generations to inoculate against reversions to violence.

Of course it is absolutely critical that we only offer those lessons as inspirations to deliberation and discussion by countries afflicted by conflict. Some may resonate and some may not – the choice remains for the country concerned.

Indeed, when we talk about lesson sharing, we do not mean only the lessons of the Northern Ireland conflict. Rather we believe that it is vital that all peacemakers share the lessons they have learned, of which Northern Ireland is but one.

We must encourage the global discussion and exchange of ideas about how to resolve conflict.

Our conflict resolution initiative is modest and realistic. What we may achieve, we will do only in consort and partnership with others. But we hope to make a distinct and distinctive contribution to the global effort to end war, an aim for the twenty first century that is not only noble but achievable.

It is that peace comes from peacemakers, human individuals inspired by hope and belief who in turn inspire others to hope and believe that war is not an inevitable condition, that peace is achievable within the span of a lifetime, a generation.

Conclusion

We do not claim to have the answers to conflict but we can share our story and our experience. I believe that the greatest lesson we have learned on our journey is that complex problems require complex solutions. The fundamental underlying causes of the recourse to violence have to be addressed in all their manifestations. And such solutions have to be within a framework that is manifestly fair and grounded in human rights.

Progress takes time, patience and an unrelenting focus on implementation. This becomes in effect peacebuilding because it helps forge human relationships across the divides of ideology, belief and politics.

We in Ireland have not always been conscious of the progress made. Progress can reveal itself in moments. Such a moment came when the leader of the Unionists, Rev. Ian Paisley, formed a government with Martin McGuinness of Sinn Féin in May 2007.

I had my doubts that such a day would ever come to pass. But came it did. It symbolised the journey we had taken and the new future that lay ahead.

And it is why Northern Ireland stands a beacon of hope to all peacemakers.

If people are determined to end conflict, then it can happen. Innovative solutions can be found to age old problems if there is a truly shared desire to live in peace. That is what the people of Northern Ireland proved in 1998. And that is what they continue to prove every single day by continuing to work and live together to achieve a better future for all.

ENDS

