

**Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>**

Country/ entity	Ireland United Kingdom Northern Ireland
Region	Europe and Eurasia Europe and Eurasia Europe and Eurasia
Agreement name	Agreement between the British and Irish Governments: Monitoring and Compliance
Date	1 Apr 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Interstate/intrastate conflict(s) ( Northern Ireland Conflict (1968 - 1998) )
Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Northern Ireland peace process
Parties	UK government, Irish Government
Third parties	-
Description	Agreement between the British and Irish Governments for the establishment of a new body that will monitor and report on the carrying out of commitments relating to the ending of paramilitary activity and the programme of security normalisation, i.e. Independent Monitoring Commission.

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Agreement document	<a href="#">UK_IE_030401_Agreement between the British and Irish Governments, Monitoring and Compliance.pdf</a>   <a href="#">Download PDF</a>
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## Groups

Children/ youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/ displaced persons	No specific mention.
Social class	No specific mention.

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## Gender

Women, girls and gender	No specific mention.
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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

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## **State definition**

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

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## **Governance**

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

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## **Power sharing**

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

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## **Human rights and equality**

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

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## **Rights related issues**

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

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## Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## Justice sector reform

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform  
Page 2-3, MONITORING AND COMPLIANCE, 3.  
The following procedures will apply. Any incidents of non-compliance by any party will, in the normal course of events, be subject to either political exposure or, where appropriate, the process of law. However, with a view to further enhancing public confidence, the Governments recognise that it will also be important to consider other appropriate responses to non-compliance in the light of any reports on breaches by the Independent Monitoring Body...The British Government would envisage amending the Northern Ireland Act 1998 to enable a variety of responses appropriate to the gravity of the breach in question, including motions of censure, the withholding of allowances, temporary suspension from participation in the Agreement's institutions or, in the most serious cases, exclusion for varying periods, to be made.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

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### **Socio-economic reconstruction**

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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## Land, property and environment

Land reform/  
rights No specific mention.

Pastoralist/  
nomadism  
rights No specific mention.

Cultural  
heritage No specific mention.

Environment No specific mention.

Water or  
riparian  
rights or  
access No specific mention.

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## Security sector

Security  
Guarantees No specific mention.

Ceasefire No specific mention.

Police Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 7.  
The Independent Monitoring Body would consult as required with the Policing Board, the Oversight Commissioner and the Independent International Commission on Decommissioning.



Armed  
forces

Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 2.

In relation to the British Government's commitments to a package of security normalisation measures, the Independent Monitoring Body would publish reports as to whether those measures were being fully implemented within the agreed timescales, in the light of its assessment of the paramilitary threat and the British Government's obligation to ensure the safety and security of the community as a whole, including:

- demolition of towers and observation posts;
- withdrawal of troops from police stations;
- closure and dismantling of military bases and installations;
- troop deployments and withdrawals from Northern Ireland and levels of British Army helicopter use;

DDR

Security sector→DDR→Demilitarisation provisions

Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 7.

The Independent Monitoring Body would consult as required with the Policing Board, the Oversight Commissioner and the Independent International Commission on Decommissioning.

Intelligence  
services

No specific mention.

Parastatal/  
rebel and  
opposition  
group  
forces

Page 2, MONITORING AND COMPLIANCE, 2.  
A new independent body will therefore be created that will monitor and report on the carrying out of the commitments relating to the ending of paramilitary activity and the programme of security normalisation, as set out in paragraphs 12-19 and Annex 1 of the Joint Declaration. It will also have a more general responsibility to consider claims by any party in the Assembly that another party is fundamentally in breach of requirements in the Declaration of Support or elsewhere in the Agreement. The body will have four members, two appointed by the British Government (including one from Northern Ireland) and one each by the Irish and US Governments. It will carry out its activities with a view to promoting public confidence and ensuring that any serious noncompliance with these acts of completion is identified and reported. The terms of reference of this independent body are outlined in the attached annex.

Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 1.

In relation to the remaining threat from paramilitary groups the Independent Monitoring Body would publish its findings on:

- any continuing paramilitary involvement in attacks on the security forces, murders, sectarian attacks, involvement in riots, and other criminal offences;
- any continuing involvement of paramilitary groups in training, targeting, intelligence gathering, acquisition or development of arms or weapons and other preparations for terrorist campaigns;
- the extent to which any paramilitary groups still appear to be engaged in punishment beatings/attacks and exiling;
- their assessment of whether the leaderships of such organisations are directing such incidents or seeking to prevent them; and
- trends in security incidents.

Withdrawal  
of foreign  
forces

No specific mention.

Corruption

No specific mention.

Crime/  
organised  
crime

No specific mention.

Drugs

No specific mention.

Terrorism Page 4, ANNEX, TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 1.  
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 ... • any continuing involvement of paramilitary groups in training, targeting, intelligence gathering, acquisition or development of arms or weapons and other preparations for terrorist campaigns;

Page 4, ANNEX, TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 2.  
 In relation to the British Government’s commitments to a package of security normalisation measures, the Independent Monitoring Body would publish reports as to whether those measures were being fully implemented within the agreed timescales, in the light of its assessment of the paramilitary threat and the British Government’s obligation to ensure the safety and security of the community as a whole, including:  
 ... • the repeal of counter-terrorist legislation particular to Northern Ireland.

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## Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

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## **Implementation**

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 2-3, MONITORING AND COMPLIANCE, 3.

The following procedures will apply. Any incidents of non-compliance by any party will, in the normal course of events, be subject to either political exposure or, where appropriate, the process of law. However, with a view to further enhancing public confidence, the Governments recognise that it will also be important to consider other appropriate responses to non-compliance in the light of any reports on breaches by the Independent Monitoring Body. In this connection, the Governments propose that if the Independent Monitoring Body concluded, following its own inquiries, that there were good reasons to believe that a party or individual member of the Assembly was in breach, it would report its findings to the two Governments, making clear what action needed to be taken to remedy the breach and what measures, if any, it would be appropriate to apply. The Governments would initiate discussions in the Implementation Group to consider the action to be taken in response to the report. If the Implementation Group recommended that a motion be put before the Assembly, the Secretary of State would give notice requiring the motion to be moved. Any motion put before the Assembly following the tabling of a report would be subject to decision on a cross-community basis. Where such a motion failed to attract cross-community support, or where the Implementation Group had failed to agree a course of action, it would be a matter for the British Government, in consultation with the Irish Government and the parties, to resolve the matter in a manner consistent with the report of the Independent Monitoring Body. The British Government would envisage amending the Northern Ireland Act 1998 to enable a variety of responses appropriate to the gravity of the breach in question, including motions of censure, the withholding of allowances, temporary suspension from participation in the Agreement's institutions or, in the most serious cases, exclusion for varying periods, to be made.

Page 4, ANNEX, TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 3.

At the request of the Governments, the Independent Monitoring Body may be asked to consider claims by any party in the Assembly that another party is in breach of requirements in the Declaration of Support or elsewhere in the Agreement.

Related cases No specific mention.

Source Irish DFA

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