

Oireachtas Committee on the Implementation of the Good Friday Agreement

19 January, 2023

Statement by Eamonn McKee

Anglo-Irish Division 1986-89

1. I joined the Department of Foreign Affairs in October 1986 and was assigned to the Political Section of Anglo-Irish Division. The Division had increased its staff numbers to implement the Anglo-Irish Agreement of 1985, notably:
 - (i) The establishment of the Secretariat of the British Irish Intergovernmental Conference (BIIGC) at Palace Barracks, Belfast. The Secretariat serviced the regular meetings of the Conference and was manned 24-7 by Irish and British officials and staff members.
 - (ii) An expanded team of travellers based out of Iveagh House with specific areas of responsibility derived from the objectives of the Anglo-Irish Agreement. Their reports were vital to the briefings and discussions at the Secretariat and the summit meetings of the BIIGC.
2. The weekly pattern in the Division entailed the dispatch of travellers early in the week to meet with contacts and to report back. Their reports were compiled on Friday morning along with other reports of contacts and meetings from the embassies in London, Washington, and elsewhere into the weekly brief, known as the 'Box.' The Box was copied and circulated to the Government and senior officials on Friday afternoon. That day also saw the return of the team from the Secretariat and the departure of the weekend team to Belfast, under high security.
3. The background of the *Ulster Says No* campaign led by the DUP, loyalist protests outside the Secretariat, ongoing paramilitary violence, and allegations of security force collusion and human rights abuses created a sense of purpose and consequence in the Division. Writing speeches and briefing notes, responding to a high level of PQs, attending meetings with official counterparts, NGOs, and groups and party representatives from NI, and responding to acts of violence generated a very full work programme. The SDLP, notably John Hume and Seamus Mallon, were frequent visitors to Dublin. SDLP representatives across Northern Ireland were essential sources of advice and guidance.
4. As a junior officer, I supported the work of the political traveller, Liam Canniffe. Liam and I worked with members of the SDLP, notably Alastair McDonnell, to develop the Disadvantaged Areas Programme to help direct funds from the International Fund for Ireland to areas most affected by the conflict.

5. The Department of Foreign Affairs conducted a human resource strategy that ensured that officers who were assigned to Anglo-Irish Division were rotated to related postings (Embassy London and Missions in the United States) and back to the Division on return to HQ. This developed a cadre of officers who had in-depth knowledge of, as well as a range of contacts relating to, the key issues in the peace process. This was an important factor in the negotiations of the GFA and the long process of its implementation.
6. Following the pattern established by the Department, I was posted as Vice-Consul General Boston in August 1989. I was then transferred to the Embassy Washington in January 1990.

1990-1996

7. I worked directly with the Political Director at the Embassy Washington, Brendan Scannell. Early tasks included countering Ancient Order of Hibernia critiques of the International Fund for Ireland, the establishment of a funding scheme for Irish emigrant groups in the US, and support for the passage of legislation creating the Morrison visa programme which solved the problem at that time of the undocumented Irish. The Embassy's relationship with Senator Kennedy, the Speakers O'Neill and Foley, the Congressional Friends of Ireland and related staffers was particularly strong and productive on issues related to Northern Ireland but also on all other issues, from visas to agricultural regulations.
8. Ambassador Dermot Gallagher had opened lines of communication with Bill Clinton and the Clinton-Gore campaign. At the request of Senator Kennedy's office, which was providing advice to Clinton-Gore on foreign policy and policy in relation to Northern Ireland, I wrote the draft text for the Clinton-Gore letter on Northern Ireland. Clinton's presidency transformed the role of the White House with regard to the peace process and gave the Embassy unparalleled access. Brendan Scannell played a key role in this, having developed key contacts from his time as Consulate General in Boston. The Saint Patrick's Day receptions at the White House were invaluable opportunities for networking and validating the significance of the Peace Process.

Anglo-Irish Division 1996-1999

9. I returned to Anglo-Irish Division at the request of its then Director, Sean Ó hUiginn, to act as the traveller for the Justice and Security Section. Sean had been the key architect, along with Taoiseach Albert Reynolds, of the Downing Street Declaration, one of the breakthrough documents of the peace process leading to the 1994 ceasefires. This breakthrough built on the courageous outreach of John Hume in the Hume-Adams talks. Issues on my desk included parades (the Government's submission to the North Commission), Bloody Sunday (the Irish Government's Assessment of the New Material), policing, administration of justice, use of lethal force by the security forces, and allegations of collusion. I worked closely with a number of key contacts, including Alex Attwood of the SDLP, Don Mullan, Martin O'Brien and the Committee on the Administration of Justice, Jane Winter of British Irish Rights Watch, Brendan McAllister of Mediation Northern Ireland, Resident groups in Belfast, Garvaghy Road, Dunloy, journalists, solicitors, and republican contacts. I travelled extensively, more or less weekly, filing reports for the Box and regularly briefing the Secretariat on current issues and participating in meetings there with NIO officials. I acted as the lead official for the proximity talks on Drumcree 1997-1998. My opposite number was Jonathan Powell, Prime Minister Blair's Chief of Staff.

10. In the run-up to the negotiations for the GFA, the new Director of Anglo-Irish Division, Dermot Gallagher, formed the Talks Team. I was a member of that team with particular responsibility for policing, justice and security normalisation. Martin Mansergh worked on the new proposed text for Articles 2 and 3 and I sent him a paper recommending the addition of 'entitlement' to the 'birth right.' By the time I arrived at Castle Complex, draft text had been agreed to on the policing section of the GFA. I invited Seamus Mallon and Alex Attwood to review it, and they confirmed my concerns. Thereafter I was the lead official negotiating new text with the NIO team. The NIO were focused on policing, that which continued to be effective, whereas I was focused on a future policing service that in its composition and ethos reflected society. Both objectives were essential. This creative tension produced hard bargaining, but a very good outcome regarding the terms of reference for what would become the Patten Commission's recommendations. I extracted some final concessions at our last negotiation session unaware that PM Blair had instructed his officials that all text be finalised with the exception of the language around the North-South bodies.
11. Overall, the Patten Commission did an excellent job through extensive consultations and a comprehensive set of recommendations that adhered closely to the terms of reference. Patten himself made this clear on the publication of his report when some unionists expressed surprise at the outcome of the Commission's work. The post-conflict transition in the security sector is one of the most difficult to achieve and sustain in any peace process. In the formation of the Patten Commission, I insisted on the inclusion of Professor Peter Lynch. I understand that he made a significant contribution that helped eliminate the use of plastic baton rounds. The PSNI is an outstanding example of a successful security sector reform process.
12. I would like to pay tribute to Alex Attwood and Brian Barrington who helped steer the whole implementation of the Patten Recommendations and the establishment of the Policing Board with a forensic focus and determination. For example, Alex played a particularly crucial role in resolving the issue of the Policing Board's access to sensitive material involving national security on matters relevant to the Authority and its credibility. As with the Finucane case, the SDLP were determined to ensure that allegations of state collusion in the use of lethal force could not and would not be outside the mechanisms for accountability that it endorsed.
13. Another crucial factor in the success of the policing transformation was the creation of the Oversight Commission led by former New York police officer John Considine and the Office of the Police Ombudsman under Dame Nuala O'Loan. The Oversight Commission ensured that the recommendations of the Patten Commission were fully implemented and operational on the ground. This provided a vital assurance for the acceptance of the PSNI and the eventual decommissioning of paramilitary weapons.

Consulate General New York, 1999-2001

I was assigned as Press Officer to the Consulate General in New York and returned to HQ in December 2001.

Anglo-Irish Division, 2002-2004

I was again assigned to Anglo-Irish, this time as head of the Justice and Security Section.

14. During the negotiations of the GFA, I learned that it had been agreed that while policing would have a full independent commission, the justice system would be reviewed only. This reflected a strong belief in the NIO and among Unionists that the justice system had continued to operate throughout the conflict and did not require fundamental reform. However, the review process was not without its problems. When I returned in 2002, I learned from contacts that the Criminal Justice Act, which gave effect to the recommendations of the Review, fell short of requirements, notably on judicial appointments. In anticipation of another round of talks to advance the implement of the GFA and secure the decommissioning of paramilitary weapons, I convened talks involving the SDLP, led by Alex Attwood, and Sinn Féin, led by Gerry Kelly, at the Wellington Park hotel to agree a common agenda for amendments to the Act. These proposed changes became part of the negotiations convened at Hillsborough in March 2003. These commitments, including to a new Act, were published in a Joint Declaration by the British and Irish Governments in April 2003.
15. I was also involved in secret talks at Farmleigh with British security officials on security normalisation. This was the culmination of many years of talks about the pace of normalisation. For example, the Chief Constable regarded the Observation Towers in South Armagh as essential to the safety of his officers where locals detested them as unwarranted intrusions. They had continued in operation for many years after the signing of the GFA. Seamus Mallon with mordant humour regarded them as the bane of his life. The eventual dismantling of the Towers and other military installations were seen as tangible indications of the progress of the peace process.
16. Arising from the Weston Park Agreement and the SDLP's endorsement of the new policing arrangements, the British and Irish Governments agreed to appoint a judge of international standing to investigate allegations of collusion in six controversial cases, including the murder of Pat Finucane. The judge was to make a recommendation on whether any or all of these cases merited a public inquiry. There was considerable back and forth between Dublin and London as to the appointee⁷. I interviewed and recommended Judge Peter Cory of the Supreme Court of Canada. This was endorsed by the British Government. Judge Cory did an outstanding job with speed and great integrity. His recommendation for a public inquiry into the murder of Pat Finucane has yet to be implemented.

Irish Aid, UN Director, Director Conflict Resolution Unit, 2004-2009

17. In 2005 I was asked by the Secretary General Dermot Gallagher, acting at the request of the Minister, Dermot Ahern T.D., to establish a conflict resolution unit to share the lessons of the peace process. We launched a number of initiatives including a National Action Plan on UNSC 1325 Women, Peace and Security, and projects in East Timor, Liberia, and Sierra Leone. In 2009 I was appointed as Ambassador to the Republic of Korea and the Democratic People's Republic of Korea.

2015 to the present

In 2013 I was appointed Ambassador to Israel. In 2015 I returned to HQ as Director General for Trade. In 2020 I was appointed as Ambassador to Canada, Jamaica and The Bahamas.

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