

# BREXIT BRIEF

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The Brief seeks to provide up-to-date information on the progress and content of the UK-EU negotiations, and bring together relevant statements and policy positions from key players in Ireland, the UK and the EU.

The Brief is part of a wider communications programme covering the work of the IIEA's UK Project Group – including commentaries, speeches, texts and event reports – which are highlighted on the Institute's website. ([www.iiea.com](http://www.iiea.com))

## Introduction

The three-day 'Agreement 25' Conference held at Queen's University Belfast from 17-19 April 2023, was opened by the University's Chancellor, the former United States Secretary of State, Hillary Clinton. During the three-day conference, media reports of keynote speeches and panel discussions overtook consideration of the current impasse surrounding the Windsor Framework. However, the urgent need to restore the Northern Ireland Assembly and Executive was stressed by almost all speakers.

The visit by the President of the United States, Joe Biden, one week earlier to both jurisdictions on the island of Ireland also focused attention on the continuing debates over the working of the Good

Friday Agreement twenty-five years after its signature and ratification.

The ongoing institutional impasse highlights the position of the DUP, whose internal discussions and debates will be watched closely in the run-up to local government elections on 18 May 2023. When the President of the European Commission, Ursula von der Leyen, referring to the Windsor Framework, remarked that, "The gateway to a bright future is open. All you need to do is walk through it", the DUP leader, Sir Jeffrey Donaldson, responded, "It's a pity that the gateway has bars and locks on it and checks and all kinds of things that need to be removed if Northern Ireland is going to have unfettered access to our own internal market."

## Section One: State of Play

### Prime Minister Sunak at QUB Conference

The UK Prime Minister, Rishi Sunak, spoke at the QUB Conference on 19 April 2023. In his address, Mr Sunak focused not only on the legacy of the Good Friday Agreement in bringing relative peace and stability to Northern Ireland, but also on the need to restore the power-sharing institutions established by the 1998 Agreement and on the opportunities presented by the Windsor Framework:

*For those of us, like me, who inherit this extraordinary, even intimidating legacy... our challenge today is to fulfil the promise of the work that you began. To honour your legacy, we need to create a more stable devolved government in Northern Ireland. And that means getting the institutions up and running.*

*I believe there are two tasks. First, to remove the biggest block to the institutions returning. That's why, when I came into office, I made it a priority to fix the Northern Ireland Protocol. And we were deeply conscious of the lessons of history as we did so.*

*That's why our aims were to: Balance and respect the aspirations of all parts of the community. Protect the relationships between East and West as much as North and South. And persist through careful, detailed negotiation. And I pay tribute to Ursula von der Leyen who I am so pleased to see here today.*

*The Windsor Framework is a breakthrough moment. It solves practical problems and, crucially, strengthens Northern Ireland's place in our Union and our UK internal market. It gives the Assembly significant new powers – ready for when it sits again. And I am confident we can build broad support for it across all communities.*

*So I share people's frustration that the institutions are not back up and running. But that points to our second task. We must keep working to persuade all parts of the community that returning to the institutions is the best path. And we will do that. We will talk, we will listen, we will try to persuade – and we will not give up.*

Mr Sunak also made a direct appeal for unionist politicians in Northern Ireland to return to Stormont, arguing that the current impasse was hurting unionism:

*...I want to speak directly for a moment to the representatives of unionism... who include many diverse voices and whose concerns with the Protocol we have focused on addressing. I urge you to work with us to get Stormont up and running again. That's the right thing to do on its own terms. And I'm convinced that it's also the right thing to do for our Union.*

*I am a proud unionist. We believe passionately that Northern Ireland is stronger within the UK... and the UK is stronger with Northern Ireland within it. But we must also build support beyond those of us who already identify as unionists. To do that, we have to show that devolved government within the*

*United Kingdom works for Northern Ireland. The fact that the institutions have been down for nine of the last 25 years should be a source of profound concern. Over the long term that will not bolster the cause of unionism – I believe that deeply. So, we need to get the institutions up and running – and keep them up and running.*

Mr Sunak also made reference to the Alliance Party's proposal to reform the Northern Ireland Assembly and Executive to prevent either of the main political designations in Northern Ireland (nationalism and unionism) being able to collapse the Stormont in the future. Mr Sunak said that such reform could only be achieved with the agreement of all parties:

*And let me also say to those who would seek to reform the institutions right now: I understand your frustrations. But history reminds us that nothing in Northern Ireland has ever been achieved by trying to get round one community or another. So, any conversation about reform can only begin once the institutions are up and running again...and if it attracts widespread consent.*

## **Taoiseach Varadkar at QUB Conference**

The Taoiseach, Leo Varadkar, also addressed QUB's 'Agreement 25' Conference on 19 April 2023. Like Mr Sunak, Mr Varadkar highlighted the benefits of the Windsor Framework for Northern Ireland, and called for the restoration of the Northern Ireland Assembly and Executive:

*We... hope that the Windsor Framework will play an essential role in securing additional investment*

*into Northern Ireland, as well as offering real economic benefits to communities across Northern Ireland. The Framework has been welcomed by the business community in Northern Ireland, which has expressed a genuine desire to move forward and take advantage of the opportunities and economic certainty it offers.*

*But continued prosperity in Northern Ireland requires a functioning government. Public services need to be reformed and improved. The people of Northern Ireland deserve a functioning Executive and Assembly and NSMC. The challenges of today require Northern Ireland's leaders to make the decisions that affect their constituents on the ground.*

## **Chris Heaton-Harris at QUB Conference**

The Secretary of State for Northern Ireland, Chris Heaton-Harris, shared a platform with the Tánaiste, Michéal Martin, at the QUB Conference on 18 April 2023. He, too, called for the restoration of power-sharing, arguing, like Mr Sunak, that unionism is best served when Stormont is up and running:

*[L]et no one tell you that power-sharing is in any way at odds with Unionism. Instead it is the surest way by which Northern Ireland's place in the Union can be secured. The people of Northern Ireland are rightly demanding better, more responsive public services, greater economic prosperity and a brighter future for their children. The single biggest threat to Northern Ireland's place in the Union is a failure to deliver on these priorities.*

*I make no apologies for being proud*

*of Northern Ireland's place in the Union and for wanting it to continue. Others who share that view should put the Union first, restore the devolved institutions and get on with the job of delivering for the people of Northern Ireland. Like David Trimble and David Ervine before in 1998, and Dr Paisley in 2006, real leadership is about knowing when to say yes and having the courage to do so.*

*So the Government will continue to listen intently to the conversation on how we can best achieve the effective and enduring operation of the institutions. Because we want to see the institutions working well for the whole of Northern Ireland. Their success is Northern Ireland's success, and Northern Ireland's success is the Union's success.*

## **Tánaiste Michéal Martin at QUB Conference**

The Tánaiste, Michéal Martin, addressed the QUB Conference just after Mr Heaton-Harris, praising the role of the principle of consent in Northern Irish politics:

*The principle of consent allows everyone in Northern Ireland the right to pursue their own vision for Northern Ireland's constitutional future, providing they can persuade others of their case. And in doing this it creates the space for us to address other urgent social and economic challenges without every discussion being filtered through this one lens.*

*...As a constitutional nationalist, I am free to pursue a united Ireland in the future, just as so many in this room, friends of mine among them, are free*

*to make the case for Northern Ireland remaining within the Union.*

*In the heated debates around Brexit in recent years, some protagonists sought to change, or reframe, the principle of consent. Perhaps the intention in the Agreement got a little lost in those debates.*

*The principle of consent was not new, even in 1998, having been seen in the Sunningdale Agreement. And it was central to the vital Downing Street Declaration in 1993. In the Agreement, it was agreed as part of a wider set of balances. The referendums enshrined consent in the fundamental laws of Ireland and the United Kingdom. All of that is to say, because it still needs to be said, the principle of consent is both simple and inviolable.*

Mr Martin also touched on the Windsor Framework, noting that parties may wish to take time before deciding their approach to the new deal:

*The past few years, with the practicalities of Brexit, have been turbulent for Northern Ireland, and for these islands. The European Commission and the UK Government stretched themselves in recent months to reach an accommodation that works for Northern Ireland. I know that turbulence will take some time to settle. That parties need to pause and reflect internally on next steps.*

## **President Biden at the Oireachtas**

The United States President, Joe Biden, addressed both Houses of the Oireachtas on 13 April 2023, where he commended the legacy of the Good Friday Agreement

in bringing peace to the island of Ireland. President Biden also suggested that the UK should work more closely with Ireland on the Peace Process:

*Peace is the necessary foundation for progress, for growth, for unlocking the enormous potential that exists in every part of this island.*

...

*We must never forget that peace, even as has become a lived reality for an entire generation of young people, peace is precious. It still needs its champions. It still needs to be nurtured. The Good Friday Agreement didn't ... just change lives for the better in Northern Ireland. It had significant positive impacts across the Republic of Ireland as well.*

*As the Taoiseach and I have discussed... Ireland and the United States can work together with the United Kingdom and the European Union to support the people of Northern Ireland. I think — I think that the United Kingdom should be working closer with Ireland in this effort — in this endeavour. Political violence must never again be allowed to take hold in this island.*

## Biden in Belfast

In his brief visit to Northern Ireland, following bilateral meeting with the main party leaders, President Biden delivered a keynote speech at Ulster University's new Belfast campus. He stressed the importance of an early return to power-sharing and spoke of the long-term economic benefits of stable devolved government:

*As a friend, I hope it's not too presumptuous for me to say that I*

*believe the democratic institutions established in Good Friday Agreement remain critical for the future of Northern Ireland. It's a decision for you to make, not for me to make, but it seems to me they are related. An effective devolved government that reflects the people of Northern Ireland and is accountable to them, a government that works to find ways through hard problems together, is going to draw even greater opportunity in this region.*

*So, I hope the assembly and the executive will soon be restored. That's a judgement for you to make, not me, but I hope it happens, along with the institutions that facilitate north-south and east-west relations, all of which are vital pieces of the Good Friday Agreement. For, in politics, no matter what divides us, if we look hard enough, there are always areas that's going to bring us together if we look hard enough. Standing for peace and rejecting political violence must be one of those things.*

President Biden also noted the potential of the Windsor Framework to bring political stability and economic prosperity to Northern Ireland:

*The Windsor Framework addresses the practical realities of Brexit, and it is an essential step to ensuring the hard-earned peace and progress of the Good Friday Agreement that they are preserved and strengthened. Negotiators listened to business leaders across the UK and Ireland who shared what they needed to succeed, and I believe the stability and predictability offered by this framework will encourage greater investment in Northern Ireland, significant investment in Northern Ireland.*

## Senator George Mitchell at QUB Conference

Senator George Mitchell, the former United States Special Envoy to Northern Ireland and one of the leading negotiators in the talks leading to the Good Friday Agreement, also spoke at the QUB Conference, calling for political engagement from leaders in Northern Ireland and cautioning against any return to violence:

*So, I say now, to the current and future leaders of Northern Ireland - There is much in your history and in your politics that divides you. But there also is much that can bring you together, that can inspire you to continue what your predecessors began a quarter century ago.*

*It is not a sign of weakness to resolve your differences by democratic and peaceful means. To the contrary, it is a sign of strength, and of wisdom. And it clearly reflects the will of the overwhelming majority of the people of Northern Ireland. Yes, they often disagree, sometimes very strongly. Yes, they may take offense quickly. But it is unmistakably clear that they do not want to return to violence. Not now. Not ever.*

*I know that each of your parties, like all political parties in the world, have some of what I call the one hundred percenters. They want everything their way, all the time. To them, any compromise is a sign of weakness. But I say to you that reasoned, principled compromise is essential in divided societies, and reflects a belief in democratic values.*

...

*We must learn to understand one another, and to be able to say "yes" to one another, especially when the quicker and easier answer is answer "no". Because, like it or not, we are all in this together. Facing the reality of the future, rather than clinging to the myths of the past, takes strength and courage and vision.*

## The Crucial DUP Response

The DUP leader, Sir Jeffrey Donaldson, has argued that the QUB Conference lacked 'realism' and could be seen as a 'bubble'. He criticised those participating in the Conference as having identified problems with the current political situation in Northern Ireland, but without providing any solutions. He tweeted:

*The great and the good can lecture us all they want for a cheap round of applause but it won't change the political reality. The political institutions only work when there is cross community consensus. Berating unionists won't solve the problem. They didn't do it to Sinn Féin and we will not be treated differently or brow beaten into submission. The Government need to work with us to address concerns and get the outstanding issues resolved. We stand ready to get the job done and see Stormont restored. But it has to have a solid foundation.*

Participating in a panel discussion at the QUB Conference, DUP MLA Emma Little-Pengelly argued that the Good Friday Agreement had been undermined by the Brexit deal. The 1998 agreement guaranteed Northern Ireland would remain part of the UK until there was a referendum for reunification, paving the way to power-sharing for the first

time. Ms Little-Pengelly said unionists felt that the Northern Ireland Protocol and the Windsor Framework broke that guarantee by introducing border checks with Britain and subjecting Northern Ireland to the application of EU law. She insisted, "Those grievances. They exist. They're real, they're genuine. If they had been listened to two years ago, the institutions would not have collapsed. The reality is sometimes as hard as it may be, it is the right thing to say no."

## Section Two: The Evolving Debate

### The Blair-Major Joint Statement on Brexit 2016

On 9 June 2016, *The Guardian* reported on the joint appearance of the former UK Prime Ministers, Sir Tony Blair and Sir John Major, at Ulster University in Derry, where they addressed key issues which they thought would arise in the case of a Leave vote in the Brexit referendum on 23 June 2016. *The Guardian* article read:

*Tony Blair and Sir John Major have said that if Britain left the EU, border control would be introduced between Northern Ireland and the Republic and the union with Scotland would be threatened. In a symbolic joint appearance in Derry, the former prime ministers, both of whom played key roles in the Northern Ireland peace process, stressed the risks of voting to leave the EU in the 23 June referendum.*

During their address, Sir John argued that Brexit would likely result in a fresh Scottish independence referendum. Sir Tony also cautioned that the UK leaving the EU would mean that the Irish border would become a new land frontier between the UK and the EU, which would make it impossible fulfil

Vote Leave's campaign pledge to restrict EU immigration without also scrapping the Common Travel Area. Sir Tony said, "What you would actually have to do is end up with having border controls and customs checks."

Sir John, who was Sir Tony's predecessor as Prime Minister, echoed Sir Tony's warnings, arguing that leaving the EU would put the Republic of Ireland on "the opposite side of the table", as the UK sought to negotiate an exit with the 27 other member states. He added that pressure for a second referendum on Scottish independence could become "politically irresistible" if people in Scotland voted to remain in the EU but the UK as a whole pulled out. For that reason, he said, Brexit could undermine the entire constitutional settlement of the UK. "The plain, uncomfortable truth is that the unity of the UK itself is on the ballot paper in two weeks' time," he said.

The two former prime ministers also underlined the importance of EU membership for employment and business. Sir John said:

*Just like prime ministers before us and after us, Tony and I fought hard to persuade our fellow EU leaders to continue to build the single market. We did so because it's of great benefit to Britain.*

A recent comment in *The Belfast Telegraph* recalled Sir John and Sir Tony's address when referring to current debates and divisions on Brexit and the Protocol:

*It cannot, however, be said that there were no warnings. Back in 2016 John Major and Tony Blair, who helped keep the peace process alive in the 1990s, spoke out in a joint intervention. Major warned the Union would be weakened,*

*and Blair's words were even more portentous. He declared, seven years ago, that it would be "profoundly foolish to risk those foundations of stability" created by the Good Friday Agreement. He added: "I say, don't take a punt on these people. Don't let them take risks with Northern Ireland's future. Don't let them undermine our United Kingdom." He knew, and we know, exactly who he was referring to. He was right.*

## Brexit on the Bookshelves

On 15 April 2023, the Irish Times reviewed three new books on "the farrago surrounding Britain's exit from the EU", and separately reviewed or mentioned two other volumes on relevant matters:

- Matthew Goodwin. *Values, Voice and Virtue*. The New British Politics. Penguin
- Meg Russell and Lisa James. *The Parliamentary Battle over Brexit*. Oxford UP
- Tim Bale. *The Conservative Party After Brexit*. Polity.
- Graham Walker and James Greer. *Ties That Bind? Scotland, Northern Ireland and the Union*. Irish Academic Press.
- Sebastian Payne. *The Fall of Boris Johnson*. Macmillan

On the Russell and James book, the reviewer, Mark Paul, writes:

*From the early political rows in the 1990s over the Maastricht Treaty to the incessant political wrangling in the noughties that led David Cameron to call a referendum, parliament was the crucial crucible where the*

*arguments were forged. Yet as the authors eventually conclude "a saga that began to enhance the sovereignty of parliament gradually developed into one where parliament was vilified by cynical leaders." If Brexit was the game, parliament was the ball booted around the pitch.*

Of Tim Bale's volume on the Conservative Party, Mr Paul writes:

*The book opens with another intriguing 'what if?' If remain had won the 2016 referendum how different might the following years have been? The book is about what really happened but, as the author says, "we nevertheless need to acknowledge the part played by chance, contingency and human agency" in all that followed. Brexit was never a sure thing. Bale reminds us of the narrow 52 per cent-48 per cent margin of victory for the Leave side. If Johnson had picked a different side, or if Labour leader Jeremy Corbyn had campaigned properly the 'parallel universe sketched above' might be what Britain lived through in the subsequent years.*

The Goodwin text is described as taking an individual line:

*Matthew Goodwin insists Brexit itself was merely the consequence of wider political trends. Goodwin takes aim at commentators including Fintan O'Toole of the Irish Times for arguing that Brexit was an exercise in empire nostalgia. "Ordinary people don't care a whit for empire. Other European countries such as Belgium, Spain and France are all former colonial powers and they never sought to leave the EU."*



Mr Paul concludes that, "Taken together the discrepancies and contradictions of the three books suggest that academics may be as divided as everybody else in their diagnoses of what happened."

The Walker and Greer text, 'Ties that Bind?' addresses the issue of Scotland, Northern Ireland, and the Union, and is quoted as commenting:

*The shock 52 per cent UK vote for 'Leave' collided with a 38 per cent in Scotland and 44 per cent in Northern Ireland. The lack of Scottish and Northern Irish consent for such a profound change as leaving the European Union not only caused multiple political crises, but also raised structural and systematic questions about the diverging visions and political ecosystems within the UK, the relationship between the devolved jurisdictions and central government and the medium-term survival of the Union.*

*Brexit and its fall-out in relation to Northern Ireland and UK-Ireland relations, has weakened the east-west dimension integral to the 1998 Good Friday Agreement. The north-south dimension has dominated post-Brexit politicking. Nevertheless, there may still be something relating to the original purpose of the British-Irish Council – and the way east-west relations were conceived of – that could help defuse tensions and rebuild co-operation.*

## **John Alderdice on Belfast Agreement at 25**

Lord John Alderdice was leader of the Alliance Party from 1957-1998 and Speaker of the Northern Ireland Assembly from 1998-2004. He contributed an article to The Newsletter on

12 April 2023, in which he lauded the success of the peace process while also denouncing the impact of Brexit on Northern Ireland's political stability:

*There was a peace process which was about bringing the killing to an end. That has been largely successful. Parents no longer fear that their children going out for a night of fun may be blown up in a pub bombing; cross community killings have largely ended; attacks on the police are massively reduced; the army are off the streets; and civil activity and social life has largely recovered.*

*... It was always going to take time for politics to settle down, but Brexit unsteadied it. The GFA had been beginning to take the border out of daily politics and Prime Minister Boris Johnson promised that Brexit would make little change and that he would support the unionist position. He was dishonest and disingenuous on both counts and those unionists who took him at his word have been left high and dry.*

*... Boris Johnson and the short-lived and even more disastrous premiership of Liz Truss were disposed of, and Prime Minister, Rishi Sunak has not only begun the difficult process of steadying the post-Brexit British economy, but has dramatically reset relationships with the European Union and the United States of America. It is no surprise that he received massive votes for his revised Northern Ireland Protocol arrangements in both Houses at Westminster with negligible support for the opposition from unionist parliamentarians.*

## EU Funding comes to an end for Northern Irish Charities

Northern Ireland charities are about to lose millions of pounds in EU funding as a result of Brexit. NGOs are warning of threats to their survival, arguing that a replacement fund promised by the UK Government will prove inadequate, to the detriment of schemes designed to tackle social inequalities.

Within the EU system, Northern Ireland NGOs relied heavily on the European Social Fund which provides funding for employment creation in disadvantaged communities. The ESF provided some £200 million to Northern Ireland within the 2014-2020 EU Budget. The Director of Mencap commented that the EU fund and the promised UK replacement “cover very different priorities” and that consequently, “There will be a reduction in our services, we will have to deliver in a different way.”

Northern Ireland’s Equality Commissioner, Geraldine McGahey, claimed that NGOs in Northern Ireland will lose as much as £23 million per year, with a lack of transparency in how the UK fund is being established. The European Commission pointed out that the EU will continue to offer funding to Northern Ireland through the PEACEPLUS Programme which supports peace and reconciliation in the region.

## Section Three: Background Material and Further Reading

### Background Material

**The White House** Remarks by President Biden to the Houses of the Oireachtas, 13 April 2023. <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/04/13/remarks-by-president-biden-to-the-houses-of-the-oireachtas/>

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**GOV.IE** Speech by Taoiseach Leo Varadkar marking 25 years of the Good Friday Agreement at Queen’s University Belfast. 19 April 2023. <https://www.gov.ie/en/speech/93d66-speech-by-taoiseach-leo-varadkar-marking-25-years-of-the-good-friday-agreement-at-queens-university-belfast/>

**GOV.IE** Speech by Taoiseach Leo Varadkar: Official Dinner in honour of President Biden, 13 April 2023. <https://www.gov.ie/en/organisation/department-of-the-taoiseach/>

**Department of Foreign Affairs** Tánaiste Martin’s Speech at Queens University Belfast, 18 April 2023. <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2023/april/tanaiste-martins-speech-at-queens-university-belfast.php>

**GOV.UK** Secretary of State Speech at Agreement 25 Conference, 17 April 2023. <https://www.gov.uk/government/speeches/secretary-of-states-speech-at-agreement-25-conference>

**Belfast Telegraph** George Mitchell's QUB Speech in full. *Belfast Telegraph*, 18 April 2023. <https://www.belfasttelegraph.co.uk/news/northern-ireland/george-mitchell-former-us-senator-and-gfa-negotiator-queens-speech-in-full/1435991603.html>

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**The Guardian** Rafael Behr: The Good Friday agreement showed how decent British politics can be – but Sunak and Starmer have other plans. *Guardian*, 11 April 2023. <https://www.theguardian.com/commentisfree/2023/apr/11/good-friday-agreement-british-politics-rishi-sunak-keir-starmer>

**Irish Times** Three key messages emerge from third day of Biden's visit. *IT*, 14 April 2023. <https://www.irishtimes.com/politics/2023/04/13/key-messages-of-a-long-but-relaxing-third-day-of-bidens-visit/>

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**Irish Times** The Irish Times view on Joe Biden's visit to Northern Ireland. Peace as a work in progress. *IT*, 12 April 2023. <https://www.irishtimes.com/opinion/editorials/2023/04/12/the-irish-times-view-on-joe-bidens-visit-to-northern-ireland-peace-as-a-work-in-progress/>

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**Irish Times** Ticket: Patterns of primal intimacy. *IT*, 15 April 2023. <https://www.irishtimes.com/culture/books/>

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## Further Reading

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