

# 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 summer break in the political arena sees the Oireachtas and Westminster closed and most political radio and TV programmes off air. It is now clear that the Stormont impasse will continue into the autumn with commentators predicting activity, and perhaps even decisions, from the DUP in September. Until such decisions are made, the spotlight will remain firmly on the DUP's Sir Jeffrey Donaldson and the Secretary of State for Northern Ireland, Chris Heaton-Harris.

Meanwhile, there have been further improvements in the EU-UK relationship, which had reached a low point in the months of Lord David Frost's tenure as the UK's chief Brexit negotiator. The appointment of James Cleverly as Foreign Secretary has proved positive with evidence of steadily improving personal

and working relations with the European Commission Vice-President, Maroš Šefčovič.

Speaking at the UK-EU Parliamentary Assembly meeting on 3 July 2023, Mr Cleverly spoke about the evolution of the EU-UK relationship post-Brexit, "I hope that the close work that we have done together over the last... 18 months highlighted that, when we said the UK was leaving the EU but it was not leaving Europe, we meant it."

Moreover, just days before three important by-elections in England, the Labour Party leader, Sir Keir Starmer, gave an extensive interview to the BBC's Laura Kuenssberg in which he addressed a wide range of policy issues from public service pay and strike action, to NHS reform and climate change policies. One word, however, was conspicuously absent from the thirty-minute

discussion– Brexit. No mention was made of Starmer’s extremely careful approach to the ongoing implications of Brexit as he seeks to respond to the attitudes of former Labour voters in key “red wall” constituencies, while also recognising the importance of improved relations between London and Brussels.

## Section One: State of Play

### UK-EU Parliamentary Assembly 3 July 2023

Established under the terms of the UK-EU Trade and Co-operation Agreement (TCA), the Parliamentary Assembly acts as a forum for the UK Parliament and the European Parliament to exchange views on their partnership. At its latest meeting in Brussels on 3 July 2023, the UK Foreign Secretary, James Cleverly, hailed renewed “close and friendly UK-EU cooperation” in his first speech to the Assembly, beside the Vice-President of the European Commission, Maroš Šefčovič.

Mr Cleverly praised “the spirit of friendship and cooperation” between the UK and the EU, adding, “...the level of trust that I was able to invest in our relationship I think was part of the reason we got the Windsor Agreement over the line.” On the topic of the Windsor Framework, Mr Cleverly said,

*... I think I can say with some great confidence that Maroš and I are committed to the full implementation of that agreement, including on important issues that have already been raised such as citizens’ rights and I know that there are many people in the room who are focused on that. I want to let you know that the UK’s position is that we will continue to protect the rights of those individuals.*

Mr Cleverly also emphasised the new spirit of friendship between London and Brussels,

*It has always been obvious to me that close and friendly cooperation between the UK and the EU would be the ultimate and eventual outcome of Brexit... Today’s Parliamentary Partnership Assembly is an important part of that. I very much welcome and value your recommendations, including on energy cooperation.*

Vice-President Šefčovič also addressed the Assembly, and he, too, highlighted the newly strengthened levels cooperation between the UK and the EU,

*In November, with Russia’s brutal invasion of Ukraine in full swing we had been given a clear reminder that the EU and the UK are close and like-minded allies...Working under the leadership of President von der Leyen and Prime Minister Sunak, and thanks to genuine political commitment and a constructive, creative and collaborative approach on both sides, we managed to agree on a comprehensive set of joint solutions.*

Mr Šefčovič once again praised the Windsor Framework, and thanked members of the UK delegation for their work on arriving at a deal,

*I would like once again to personally thank James Cleverly, as well as Chris Heaton-Harris, for the intense and fruitful work we did together. The solutions we found, captured in the Windsor Framework, cut across a wide number of areas including agri-food, medicines, customs, VAT and excise, State aid, tariff rate quotas and governance... The agreement we found*

*preserves the integrity of both the EU's Single Market and Northern Ireland's integral place in the United Kingdom's internal market. And, crucially, it will preserve the hard-earned gains of the peace process by avoiding a hard border on the island of Ireland.*

The Vice-President remarked that, while the common focus of the EU and the UK is on the full implementation of the agreement, the Framework can never be a replacement for EU membership, and that this will have inevitable negative consequences for EU-UK trade. He added that possible future divergence by the UK from the EU would present further barriers to trade. Nonetheless, Mr Šefčovič concluded that a positive relationship between the EU and the UK, based on international agreements, was in their mutual interests and he reaffirmed that the EU is ready to play its part in building this relationship. The DUP leader, Sir Jeffrey Donaldson, spoke during a question session with Mr Cleverly and Mr Šefčovič. He said,

*Progress can only be made in Northern Ireland when there is consensus. Trying to foist a solution upon Northern Ireland without the support of unionists will never work. There is no solid basis for an Executive and Assembly until we have arrangements that restore NI's place in the U.K. internal market and our constitutional arrangements are respected.*

*We want to restore the NI Assembly on a basis that unionists as well as nationalists can support. We need stable and sustainable devolved government. Northern Ireland is a divided society and therefore only a deal which is acceptable to all sides will enable progress.*

## **EMI Poll, 3 July 2023**

The European Movement Ireland published the results of its latest EU Poll on 3 July. In 2023, *Amárach Research* was commissioned by European Movement Ireland to undertake research on attitudes to the EU across the island of Ireland. This work built on previous research commissioned by EMI and carried out by Red C. The research programme has been built around a nationally representative sample of 1,200 in both jurisdictions.

The latest poll shows that support for Ireland remaining a member of the EU remains stable and overwhelmingly positive at 88% in Ireland and 79% in Northern Ireland. In Northern Ireland, 71% of people who say they voted leave in the Brexit referendum support Ireland remaining a member of the EU. The poll also shows that a majority of people in Northern Ireland (66%) and Ireland (51%) believe that Northern Ireland is doing worse since Brexit.

## **Northern Ireland Budget, NI Secretary's Speech 11 July 2023**

The Secretary of State for Northern Ireland, Chris Heaton-Harris, introduced a Budget for Northern Ireland in the House of Commons on 11 July 2023. He expressed his disappointment that it had fallen to him to pass the budget rather than locally elected politicians in the absence of a functioning Northern Ireland Executive. He said that the Summer presents the political parties in Northern Ireland with an opportunity to restore the Executive and pass their own budget. Mr Heaton-Harris continued,

*It is the fundamental responsibility of the Northern Ireland Executive to run a balanced budget, and until it does, the outcomes for citizens will not improve. That's why the Government stands*

*ready to work with a restored Executive on budget sustainability including the implementation of revenue raising measures. In the meantime, we have a responsibility to ensure public services and management of public funds can continue in the future.*

*However, the Head of the Northern Ireland Civil Service has written to me to say that things now need to become more political. And in a way, I agree. But to do this needs all parties to confront the hard choices that they face, and ensure stability rather than regular political crisis in the future. We must restore confidence in the institutions, and show the people of Northern Ireland, and the world, what good devolved government looks like.*

## **Prime Minister's Questions, House of Commons, 5 July 2023**

During PMQs on 5 July, Sir Jeffrey Donaldson asked the UK Deputy Prime Minister, Oliver Dowden, whether the UK would give an assurance that it is willing to engage to adequately fund health services in Northern Ireland, which currently receive an allocation that falls below their needs.

Mr Dowden responded that he was happy to give Sir Jeffrey this assurance. He remarked that the Department of Health in Northern Ireland has been allocated £7.3 billion – an increase of £20 million above 2022-23.

However, Mr Dowden also claimed that the absence of a Northern Ireland Executive is exacerbating the severe challenges that the healthcare service in Northern Ireland is already facing. He concluded, "A fully functioning devolved Government is the right way to deliver the reforms needed for the Northern Ireland health service."

## **Covid/NI pandemic**

As the major examination of the policies and responses to Covid-19 in the UK continues, Northern Ireland's Chief Medical Officer, Sir Michael McBride, told the hearing that Brexit preparations had taken staff away from Covid-19 pandemic planning. Sir Michael also argued that the work of the Department of Health was impacted by the lack of a Stormont Executive between 2017 and 2020.

Sir Michael described to the inquiry the structures that were in place for pandemic planning. The Northern Ireland Pandemic Flu Oversight Group was set up in 2018 to develop surge plans in relation to secondary care and social care. As part of this, a task and finish group was asked in 2018 to review and update the health and social care influenza pandemic surge guidance, but it was unable to finish its work when staff were diverted for Brexit planning.

"Resources were diverted to EU-exit planning," Sir Michael told the inquiry. "The work was incidentally picked up again in January of 2020, but of course then events overtook us and, in the end, further work was carried out in February and we did have surge plans in place for the first wave of the pandemic."

In his evidence to the inquiry, Secretary of State for Levelling Up, Michael Gove, strongly denied planning for a no-deal Brexit had weakened pandemic readiness and claimed that, conversely, it had helped. Senior officials in England, Scotland, Wales and Northern Ireland had told the investigation that as scores of civil servants were switched to planning for the UK to crash out of the EU, work to update and develop pandemic plans was sidelined. Mr Gove, a leading figure in the 2016 Vote Leave campaign, countered that, "Preparation for the EU exit was some of the best preparation we could have undergone for any future crisis."

## Tánaiste on Northern Ireland Report

The Tánaiste and Minister for Foreign Affairs, Michéal Martin, spoke at the Dublin launch of Trade NI's report on the Prosperity Dividend in Northern Ireland at Iveagh House on Thursday, 13 July 2023. The Tánaiste reflected on the twenty-fifth wedding anniversary of the Good Friday Agreement and noted that one aspect of the Agreement's legacy is "the economic dividends of peace, which have transformed Northern Ireland into an ever more attractive place to live, to visit and to do business."

Mr Martin added that the peace that flowed from the Good Friday Agreement also contributed to the development of the all-island economy, and that Northern Ireland's economic strengths, including tourism, the screen industry, and its ability to attract foreign direct investment, are central to maintaining the all-island economy. He concluded, "Our success in these areas should push us to do much more together, to fully realise our shared island's economic potential."

## Section Two: The Evolving Debate

### Newsletter Editorial, 6 July 2023

An Editorial published in the *Newsletter* on 6 July criticised the Windsor Framework and the Protocol on Ireland/Northern Ireland ("the Protocol") for increasing cross-border trade to the detriment of GB-NI trade. Furthermore, the Editorial criticised the UK Government for its lack of transparency on the impact of the Protocol, stating, "The most distressing aspect of the whole protocol debacle is perhaps the lack of openness and honesty with which people in NI have been treated by their own government and the EU."

The Editorial referred to analysis published by the Economic and Social Research Institute (ESRI) in Dublin which found that cross-border trade between Northern Ireland and the Republic is now more important to the Northern Irish economy than their models had predicted. The *Newsletter* argues that the reason for the increased importance of cross-border trade is a diversion of trade away from the rest of the UK as companies in Northern Ireland prepare for the full implementation of the Windsor Framework in October.

*The government claims that the Windsor Framework fixed the Protocol... Far from standing up to diversion of trade, though, it has accepted it, and implements plans that will make it worse.*

### Patrick Smyth in Irish Times, 8 July 2023

In *The Irish Times*' 'World View' on 8 July 2023, Patrick Smyth contributed an article titled, 'The clock cannot be turned back on Brexit', in which he argued that,

*...[R]ejoining is not, in theory, out of the question. It is again being promoted by Remainers who bitterly complain at Labour's unwillingness to embrace the cause. Polling suggests they have a new wind in their sails, that the public mood has swung very significantly. Just one in three voters (33per cent), You Gov found in its latest polls, believes that "in hindsight" the decision to leave was right. Well over half (55per cent) believe it was wrong, and 59 per cent now say they would vote to rejoin the EU.*

*... Polling guru Prof John Curtice estimates that a little less than three-quarters (74 per cent) of leave supporters would vote to stay out but*

*that nearly four in five (78 per cent) of voters aged 18 to 24 would vote to rejoin the EU.*

Mr Smyth writes that, despite the new public mood on Brexit, there are significant obstacles to the UK rejoining the EU, " While a referendum vote to reapply might be passed, it is far less likely that, after difficult accession discussions involving swallowing objections to the single currency and other aspects of the new Europe, the same yes consensus would be achievable.

He concludes that,

*The clock of history cannot simply be turned back.... Voters may be suffering buyer's remorse, but will not take kindly to being second-guessed by another poll. And the UK's former partners – it takes two to tango – will not embrace with any enthusiasm a new reaccession process with a once-difficult partner, and certainly not on any easier terms.*

## **Naomi Long at the House of Commons NI Affairs Committee, 28 June 2023**

The Alliance Party leader, Naomi Long MLA, contributed to the Northern Ireland Affairs Committee's review of the Good Friday Agreement on 28 June 2023. Ms Long accepted that there were constraints on the Agreement and acknowledged that there were significant challenges in the multi-party talks that ultimately led to the Agreement. She went on, however, to say that the "goodwill and generosity" that underpinned the Agreement in 1998 had not come to fruition, because that the "veto" offered to the two main political designations in Northern Ireland (nationalism and unionism) disincentivised collaboration

and cooperation. She stated, "We incentivised the idea that you could sit back and say no as opposed to stepping up and saying yes."

Ms Long described the veto as "the biggest failing of the political institutions." She went on to outline the Alliance Party's proposals for changing the institutional structures set out in the Good Friday Agreement,

*The fundamental change we are seeking in our proposed reforms is to use weighted majority votes for the key issues that are currently subject to what are called cross-community votes but exclude the only cross-community parties in the Assembly. We would like to see those replaced with weighted majority votes. That would incentivise the building of cross-community consensus within the Assembly. It would be much more productive as a way of doing business. That would flow into the other business that we do as an Assembly and an Executive.*

## **Irish News Editorial, 15 July 2023**

An Editorial in last Saturday's *Irish News* opined, "Bull-headed boycott by DUP risks irreparable damage to public services". The Editorial argued that many public sector workers in Northern Ireland are facing the prospect of no pay rise this year, unlike public sector workers in England who will receive a wage increase of up to 7%.

Jayne Brady, head of the Northern Ireland Civil Service, has told the Secretary of State for Northern Ireland, Chris Heaton-Harris, that departments had "reached the limit" of what they can do to manage budget pressures and are face the prospect of another significant overspend.

Meanwhile, the trade union umbrella body, NIC/ICTU, has warned of a “carnival of industrial unrest” if wages fall behind those in Britain due to the Stormont budget crisis.

The *Irish News* argues that,

*While Stormont politicians must share blame for the situation we find ourselves in, there is undoubtedly political pressure being exerted by the British government by imposing impossible budget constraints on those running departments in the absence of an executive. The casualties of this high-stakes game of chicken are of course ordinary workers and their families struggling to pay huge hikes in mortgage and living costs and public services facing savage funding cuts.*

The Editorial concluded, “If the DUP is intent on continuing its bull-headed boycott of Stormont into the autumn and beyond, it risks the damage caused to public services and public confidence in our institutions becoming irreparable.”

## Brexit on the Bookshelves

Brigid Laffan/Stefan Telle, *The EU’s Response to Brexit – United and Effective* (Palgrave Macmillan)

Launching the book, the publishers describe it as the first detailed analysis of how the EU responded to Brexit. The text is based on in-depth interviews with key players in Brussels and EU member states to identify how the EU handled the unprecedented exit of a member state. The immediate fear was that Brexit had the potential to be the final straw that broke the camel’s back as the EU coped with a pandemic and an immigration crisis. Eurosceptics were seen as jubilant and Europhiles as distraught. In reality,

the EU reacted to Brexit with resolve and a determination to protect the EU’s historic achievements. Getting the process right, the EU mobilised its collective capacity to negotiate effectively and with one voice.

Brigid Laffan explained,

*The EU had only one shot to prove the value of membership, and that’s exactly what it did. The most important lesson of this book is that the EU has an enormous untapped capacity to deal with major challenges, as it proved in the Brexit process. When the EU remains united and determined, it can tap into an extraordinary collective power, in its own interests.*

## Section Three: Background Material and Further Reading

### Background Material

**GOV.UK** Secretary of State’s speech – NI Budget Bill Second Reading, 11 July 2023. <https://www.gov.uk/government/speeches/secretary-of-states-speech-ni-budget-no-2-bill-second-reading>

**European Commission** Speech by Vice-President Maros Sefcovic at the 3rd EU-UK Parliamentary Partnership Assembly, 3 July 2023. [https://ec.europa.eu/commission/presscorner/detail/en/speech\\_23\\_3666](https://ec.europa.eu/commission/presscorner/detail/en/speech_23_3666)

**GOV.UK** UK-EU Parliamentary Partnership Assembly, 3 July 2023: <https://www.gov.uk/government/speeches/foreign-secretary-speech-at-ukeu-parliamentary-partnership-assembly>

**Hansard** PMQs, 6 July 2023. <https://hansard.parliament.uk/commons/2023-07-06>

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**Irish Times** Patrick Smyth: The clock cannot be turned back on Brexit. *IT*, 8 July 2023. <https://www.irishtimes.com/opinion/2023/07/08/as-brexit-regretters-are-learning-the-clock-of-history-cannot-simply-be-turned-back/>

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## Further Reading

**Brigid Laffan and Stefan Telle** The EU's Response to Brexit. United and Effective. Palgrave Macmillan

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