



**Tithe an
Oireachtais
Houses of the
Oireachtas**

TITHE AN OIREACHTAIS

Roghchoiste Speisialta An Tseanaid An Ríocht Aontaithe Do Tharraingt Siar As An
Aontas Eorpach

Tuarascáil Taistil maidir le Cuairt na Toscaireachta ar Bhéal Feirste

4-5 Márta 2019

HOUSES OF THE OIREACHTAS

Seanad Special Select Committee on the Withdrawal of the United Kingdom from the
European Union

Travel Report of Delegation Visit to Belfast

4-5 March 2019

[32SSSCWUKEU02]

BACKGROUND

The Seanad Special Select Committee on the Withdrawal of the United Kingdom from the European Union was appointed by Seanad Éireann to track the implementation and approach taken in the withdrawal negotiations in relation to the findings and recommendations of its 2017 report entitled 'Brexit: Implications and Potential Solutions'. In its report, the Committee made a number of recommendations that could have an impact on Northern Ireland, including that the UK and the EU, in any agreement, consider Northern Ireland remaining in the Customs Union. While the Committee is of the opinion that 'there is no such thing as a good Brexit', the Committee is likely to welcome any solution that ensures a hard border is not necessary between Ireland and Northern Ireland, including the 'backstop' as outlined in the Draft Withdrawal Agreement.

The Committee was of the view that due to its unique circumstances, it is important to fully understand the consequences for Northern Ireland of Brexit, particularly if the Draft Withdrawal Agreement is not ratified by both the European Union and the United Kingdom, and to ascertain whether Northern Ireland will be disproportionately impacted by a "no-deal" Brexit. The Committee had agreed the importance of understanding the potential impact of Brexit on Northern Ireland and the positions and views of stakeholders and policy-makers in Northern Ireland in 2018, and set about planning a delegation visit. The Committee agreed at its meeting of 13 February 2019 to travel to Belfast on 4 and 5 March 2019, in order to consult with a broad range of stakeholders and others on the potential impact of Brexit on Northern Ireland.

The delegation comprised six members of the Committee; Senator Frances Black, Senator Paul Daly, Senator Ian Marshall, Senator Niall Ó Donnghaile, Senator Joe O'Reilly and Senator Gerard Craughwell.

The delegation was accompanied by the Clerk to the Committee and the Policy Advisor to the Committee.

CONTEXT

At the time that the delegation travelled to Belfast, the form that the United Kingdom's withdrawal from the European Union would take was not clear. On 14 November 2018, the "Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community", as agreed

at negotiator level, was published. This agreement contained a protocol on Ireland/Northern Ireland, which outlined a provision for an all-UK ‘backstop’; a “single customs territory” between the UK and the EU which is a mechanism to avoid a hard border between Ireland and Northern Ireland. This would only be established if alternative arrangements on the future relationship between the UK and the EU have not been agreed by the end of the transition period.

On 15 January 2019, the House of Commons voted not to ratify the Draft Withdrawal Agreement. Following a subsequent vote in the House of Commons on 29 January 2019 for a motion to seek “alternative arrangements” to the backstop, the UK held further discussions with the European Commission in February and March of 2019. When the delegation travelled on the 5 March 2019, the Draft Withdrawal Agreement had not been ratified by the House of Commons, and it was not clear whether it would be ratified before the deadline of 29 March 2019.

PROCEEDINGS

4 MARCH 2019

On the evening of 4 March, the delegation was hosted by Mr Kevin Conmy, the Joint Secretary of the British-Irish Secretariat, at the Joint Secretary’s Residence in Belfast. The delegation discussed the work of the British-Irish Secretariat in Northern Ireland and the potential implications of Brexit for Northern Ireland and relations between Ireland and Northern Ireland.

5 MARCH 2019

On 5 March, the Committee participated in a full day of engagements with stakeholders and policy-makers. The Committee held four meetings with invited groups of stakeholders and representatives of agricultural, business and civic groups, a meeting with members of Belfast City Council Brexit Committee, PSNI Assistant Chief Constable Tim Mairs, and representatives of the Special EU Programmes Body involving a site visit to a PEACE funded project, the Training for Women Network. The full details of the programme are outlined in Appendix One of this report.

1. AGRICULTURAL AND BUSINESS REPRESENTATIVES

Representatives of business and employer organisations as well as the agricultural and agri-business sector outlined the current situation in Northern Ireland for their members and how they see the next few months progressing. The meeting focused principally on the potential outcomes of Brexit for businesses and the agricultural sector operating in Northern Ireland, preparations being made for Brexit, and how they saw the next few months progressing.

The representatives who participated in the meeting were in broad agreement that Brexit was going to be a significant challenge for many businesses operating in Northern Ireland.

The discussion covered how businesses were coping with some of the uncertainty as official guidance was not available yet regarding the exact requirements for cross-border trade, for labelling of products or what regulations would apply to products from Northern Ireland post-Brexit. The potential impact on businesses, in both Ireland and Northern Ireland, if there was significant tariff differentiation as well as the prospects for investment in Northern Ireland, and from investors from Northern Ireland in Ireland was discussed. A number of concerns were expressed with regards to the contingency planning being made by Ireland and Northern Ireland and whether all potentialities had been foreseen. The size of the economy in Northern Ireland, its structure, and the level of interconnectedness of parts of the economy with Ireland and other parts of the European Union was explained.

2. INITIATIVE FOR CIVIC SPACE

The delegation met with members of the Initiative for Civic Space (ICS), a broad spectrum group supported by the University of Liverpool and Queens University Belfast which promotes the development of civic leadership in Northern Ireland.

The Initiative explained the group's creation and purpose as a forum for people of different background to come together to discuss common issues. Those at the meeting outlined their views on how Brexit had and possibly would impact on the economic and social fabric of Northern Ireland, on levels of civic engagement and discussion in Northern Ireland, on the political discourse in Northern Ireland (with the Northern Ireland Assembly not sitting), on the state of play of the implementation of the Good Friday Agreement, and on human rights in Northern Ireland. In light of Brexit, the form useful engagement might take was discussed

including how it might be structured and which types of stakeholders could be included. Finally, the possible avenues that the future of Northern Ireland might take were discussed.

3. NORTHERN CIVIC NATIONALISM

During the engagement, the representatives of the civic nationalist group discussed the potential economic and social impacts of Brexit on Northern Ireland, and presented a number of proposed political solutions. The likely impact on the Northern Irish economy of a Brexit with a withdrawal agreement in place was contrasted with the potential impact of a “no-deal” Brexit. The group placed particular emphasis on what might be required under WTO rules for external borders.

The possible impact on human rights in Northern Ireland was explored. In particular, the group expressed concerns that European Union human rights laws which have been transposed into British law could no longer have the same standing in British law in a “no-deal” Brexit scenario. The impact on Northern Ireland of not being able to elect MEPs after Brexit was also discussed, and the group presented a proposal for Northern Ireland to be a constituency for the purposes of European Parliament elections.

There was an exchange of views on the constitutional landscape with several of the group believing that Brexit is changing the landscape in the United Kingdom. A number of the group believed that possible Irish unification was being increasingly discussed in Northern Ireland, and that it needed to be considered by the Irish government. The model of Scottish Government’s preparation for the Scottish Independence referendum was mentioned and the proposal that the Irish government prepare a White Paper on Irish unification.

4. BELFAST CITY COUNCIL BREXIT COMMITTEE

The delegation was hosted in Belfast City Council for a meeting with several Members of Belfast City Council’s (BCC) Brexit Committee. The following Members were in attendance:

- Councillor Séanna Walsh (Chair) – Sinn Féin
- Councillor David Armitage – Alliance Party
- Councillor Donal Lyons – SDLP
- Councillor Tim Attwood - SDLP
- Councillor Geraldine McAteer – Sinn Féin
- Ald. Chris McGimpsey - UUP
- Councillor Dale Pankhurst - DUP

- Councillor Lee Reynolds- DUP

Mr Nigel Grimshaw – Chief Officer – Director of City and Neighbourhood Services was also in attendance.

Members of the two Committees had a very frank discussion about Brexit, its implications for Northern Ireland, preparations for Brexit and what form Brexit might ultimately take. Differing opinions on the potential impact of Brexit on Northern Ireland and on progression of the withdrawal negotiations were expressed by members of the Belfast City Council Brexit Committee. Many of the Members of the Belfast City Council Brexit Committee explained their own positions and those of their political parties with regard to Brexit and the Draft Withdrawal Agreement.

Councillors detailed their views on the concerns raised by many businesses, the impact on investment in Northern Ireland, what situation would emerge in relation to the border between Ireland and Northern Ireland, the possibility of a second referendum in the UK on Brexit, the impact on Belfast as a city, the impact on the community and voluntary sector (if there was a loss of EU financing), and on the backstop as presented in the Draft Withdrawal Agreement. The future development of Northern Ireland outside of the EU and the future relationship between Ireland and Northern Ireland were also touched upon. Finally how various parties had handled the negotiations and the possibility of other solutions being found was explored.

5. PSNI ASSISTANT CHIEF CONSTABLE, TIM MAIRS

PSNI Assistant Chief Constable (ACC) Tim Mairs presented to the delegation on the Brexit preparedness and contingency measures being undertaken by the PSNI. He explained to the delegation how the PSNI linked into the wider control and command structure of UK policing, and how the PSNI was participating in UK-wide operations assessing the potential implications of Brexit, and the subsequent policing response.

ACC Mairs outlined to the delegation the five strands of the PSNI's Brexit preparedness planning; 1) justice and home affairs, 2) border community policing, 3) counter-terrorism, 4) organisational preparedness and 5) cross-border cooperation.

In the exchange of views that followed his presentation, the challenge of planning for Brexit, when there was no certainty on the outcome of how Brexit would take place, was discussed. Members in discussion with ACC Mairs explored whether there might be a specific impact on border communities and how to continue to support the Common Travel Area. ACC Mairs

explained to the delegation that the PSNI does not have responsibility for the policing on the UK's external borders, and emphasised the value of ongoing cooperation between agencies in the UK, Ireland and Northern Ireland.

6. ACADEMICS AND THOUGHT LEADERS

In the Committee's engagement with BBC Northern Ireland Economics and Business editor John Campbell the economic situation in Northern Ireland was explored, including the impact of the delay in the UK releasing various guidance papers to businesses, particularly details on the post-Brexit tariff schedule and on future goods certification processes. Members were interested in Mr Campbell's views on media coverage of Brexit in the UK and in Northern Ireland, and how the media and debates balanced the polemic with technical knowledge.

Professor Christopher Mc Crudden outlined his work on the potential impact of Brexit on human rights in Northern Ireland, referring to his December 2018 report on the Northern Irish protocol of the Draft Withdrawal Agreement. Professor McCrudden described how he believed that while the rights from EU law are dealt with in NI protocol of the Draft Withdrawal Agreement, the rights guaranteed under the Good Friday Agreement were not covered in the Draft Withdrawal Agreement as they are bilateral issues between the UK and Irish governments. The Professor detailed a number of areas of concern, and where further consideration may be required.

7. SPECIAL EU PROGRAMMES BODY AND TRAINING FOR WOMEN NETWORK

The meeting on the role of the Special EU Programmes Body and the impact of EU-funded programmes took place on the site of one of the funded programmes.

A presentation was made to the delegation on the role of the Special EU Programmes Body in implementing PEACE (European Union programme for peace and reconciliation) and INTERREG (EU cross-border programme for territorial cooperation) funding in Northern Ireland. The benefits of these lines of funding in tackling the post-conflict societal challenges was explained and the belief that in the context of Northern Ireland, EU funding is seen as being neutral. The range of initiatives supported by the current cycle of PEACE IV and INTERREG VA funding (2014-2020) were described, including projects supporting positive cross-community relations, shared education and activities for young people and cross-border cooperation in areas such as environment, health and research and development.

The future funding for all projects under PEACE IV and INTERREG VA programmes was discussed and how those programmes may continue post-Brexit.

The delegation met with the Chair and CEO of the Training for Women Network (TWN), as well as a number of participants in projects organised by the network. The TWN is a Belfast-based network which promotes and delivers women's education, training and development. The organisation currently receives funding from the PEACE IV programme, and has participated in PEACE funding programmes since 1996. The Chair and CEO presented the role and importance of funding in what they do, the important role of women as community leaders who can shape social and economic regeneration in Northern Ireland, and the work of TWN as a forum for facilitating the building of cross-community relationships. The participants in TWN programmes from Derry and Belfast shared their backgrounds and experiences in taking part in programmes. In sharing their personal stories with the delegation many of the participants emphasised the value of the programmes, and the important role they play in facilitating the building of new and courageous friendships between women from different communities, in achieving long-term peace and reconciliation.

During the discussion concerns were expressed that Brexit was having an impact on political discussion in communities and could lead to an increasing polarisation, and potentially have negative impacts on cross-community relations, women's involvement in civic life and ongoing projects.

CONCLUSIONS

The Committee discussed the proceedings of the delegation's visit to Belfast at its meeting of 27 March 2019. The stakeholder and policy-makers that the delegation had the opportunity to meet with in Belfast expressed a range of views from differing perspectives, which was very useful in helping the Committee to understand the variety of positions and concerns regarding the potential impact of Brexit on Northern Ireland. The Committee found the delegation visit of huge value and expressed the wish to continue to find appropriate avenues for communication and discourse with stakeholders in Northern Ireland.



Senator Neale Richmond

Chairman

27 March 2019

Seanad Special Select Committee on the Withdrawal of the UK from the EU

Travel Programme – Belfast 2019

Monday 4 March

Arrival of delegation in Belfast

18.00 **Short meeting** of delegation in Hotel

19.30 Dinner hosted by **Mr Kevin Conmy**, Joint Secretary, British Irish Secretariat

Tuesday 5 March

8.30-10.00 **Breakfast meeting with Agricultural and Business Representatives**

Agricultural Organisations

Ulster Famers Union	James McCluggage Policy Manager
Northern Ireland Food and Drink Association	Tony O’Neill OBE FIoD NIFDA Board Member

Business Organisations

Retail NI	Glyn Roberts Chief Executive
NI Retail Consortium	Aodhán Connolly Director
Federation of Small Business	Tina McKenzie Regional Chair Roger Pollen Head of External Affairs
Freight Transport Association	Fiona Derry Derry Transport
Manufacturing Northern Ireland	Stephen Kelly CEO

- 10.15 Meeting with Initiative for Civic Space**
Attending:
Dr Dara O'Hagan
Peter Bunting
Brian Pope
Dr James Wilson
Ryan Feeney
- 11.00 Meeting with Civic Nationalists**
Attending:
Conor Patterson
Brian Feeney
Gerard Carlile
Andrée Murphy
Niall Murphy
Brian Loughran
- 11.45 Walk to City Hall**
- 12.00 Lunch with Belfast City Council Brexit Committee and Chief Officers**
- 14.00** Walk back to Joint Secretariat
- 14.15 Meeting with Assistant Chief Constable, Tim Mairs**
PSNI
- 15.00 Meeting with Academics/thought leaders**
Professor Christopher McCrudden and John Campbell, BBC

15.45 **Leave with taxis to Project Site**

16.00 **Visit to SEUPB/PEACE funded programme - Peace and Conflict Transformation (PACT)**

Welcome: Patricia Lewsley-Mooney CBE, (Chair of TWN)

Short tour of TWN premises

Overview of the PEACE Programme: Mark Feeney, Director of JS with the SEUPB

Overview of PEACE funding to TWN: Norma Shearer (CEO of TWN)

PACT Project overview: John Mooney, TWN Policy & Research Officer

Discussion with TWN beneficiaries.

17.00 **End of Programme**

Members of the Delegation

Senator Frances Black	Civil Engagement Group
Senator Gerard Craughwell	Independent
Senator Paul Daly	Fianna Fáil
Senator Ian Marshall	Independent
Senator Niall Ó Donnghaile	Sinn Féin
Senator Joe O'Reilly	Fine Gael

Accompanied by

Heidi Lougheed	Clerk
Stephanie Bollard	Policy Advisor