

# DÁIL ÉIREANN

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## AN COMHCHOISTE UM GHNÓTHAÍ AN AONTAIS EORPAIGH

### JOINT COMMITTEE ON EUROPEAN UNION AFFAIRS

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*Dé Céadaoin, 5 Bealtaine 2021*

*Wednesday, 5 May 2021*

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Tháinig an Comhchoiste le chéile ag 9.30 a.m.

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The Joint Committee met at 9.30 a.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Dara Calleary,	Regina Doherty,
Marian Harkin,	Sharon Keogan,
Seán Haughey,	Vincent P. Martin.
Ruairí Ó Murchú,	
Neale Richmond.	

Teachta / Deputy Joe McHugh sa Chathaoir / in the Chair.

## **EU-UK Trade and Cooperation Agreement: Engagement with Mr. Barry Andrews, MEP**

**Chairman:** Apologies have been received from Senator Chambers and Deputy Brady.

**Senator Lisa Chambers:** No. I am actually here, Chair.

**Chairman:** Senator Chambers, tá fáilte romhat. Fair play to you.

Ar son an choiste, on behalf of the committee, ba mhaith liom fáilte a chur roimh Mr. Barry Andrews, MEP, go dtí an cruinniú inniu. You are very welcome to the committee today. We look forward to this engagement on the EU-UK Trade and Cooperation Agreement.

Witnesses are reminded of the long-standing parliamentary practice that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable, or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Therefore, if their statements are potentially defamatory to an identifiable person or entity, witnesses will be directed to discontinue their remarks. It is imperative that they comply with any such direction.

For witnesses attending remotely outside the Leinster House campus, there are some limitations to parliamentary privilege and as such they may not benefit from the same level of immunity from legal proceedings as a witness physically present does. Witnesses participating in this committee session from a jurisdiction outside the State are advised that they should also be mindful of their domestic law and how it may apply to evidence they give.

Members are reminded of long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside of the Houses or an official either by name or in such a way as to make him or her identifiable. I remind members of the constitutional requirements that members must be physically present within the confines of the place in which Parliament has chosen to sit, namely, Leinster House or the Convention Centre Dublin, in order to participate in public meetings. I will not permit a member to participate where they are not adhering to this constitutional requirement. Therefore, any member who attempts to participate from outside the precincts will be asked to leave the meeting. In this regard, I ask any members who are participating via Teams, prior to making their contribution to the meeting, to confirm they are on the grounds of the Leinster House campus. My apologies to members. I have to read the privilege statement out verbatim every week but that has to be done. If any members have trouble going to sleep at night, I would advise them to learn it off by heart. I find it very helpful when falling asleep.

I call on Mr. Barry Andrews to make his opening statement.

**Mr. Barry Andrews:** I thank the Chairman and colleagues. It is great to see everyone and hopefully we can meet physically in the not-too-distant future. I am very grateful for the opportunity to address the committee on the trade and co-operation agreement between the EU and the UK, which we ratified in the European Parliament last week. It marks a new phase in trade relations with the UK, and wider relations with the UK. The new structures that have been brought into being, and since 1 May into permanent application, give an opportunity to develop a relationship that is not based on rivalry but on partnership. It was approved by a huge majority in the Parliament, with 660 votes in favour and just five against, as was the resolution that accompanied ratification, albeit by a slightly smaller majority. It reflects the Parliament's desire to approach this new relationship in a positive and constructive manner. It also demonstrates

strong solidarity with Ireland. We continue to enjoy the solidarity of our fellow member states, as well as in the ratification process.

It is worth recording that the ratification obviously took an awful lot longer in the European Parliament than it did in Westminster, where it was scrutinised in 24 hours before its ratification. That is a positive thing and the European Parliament was correct to accept provisional applications from 1 January, and to allow the opinions of the European Parliament to be gathered and fed into the resolution we passed. It is worth reminding members that Michel Barnier's address to the European Parliament last week noted that Brexit was, to some extent, a failure on the part of the EU. As we approach the launch of the Conference on the Future of Europe next Sunday, it is reflecting on learning its lessons and helping to ensure we feed that into a renewal of the European Union.

The accompanying resolution sets out the Parliament's position on scrutinising the agreement into the future. These matters are not fully settled yet and we can discuss those further. The overriding message from the parliamentarians was that we want to open up a range of mechanisms and that we want to make them a conduit for implementation of anything that emerges as a difficulty in a pragmatic manner. These mechanisms can also be used for non-compliance and avoid the necessity for infringement proceedings, which we saw in March.

I would like to focus on the Northern Ireland protocol in particular, which I am glad to say emerged as a key priority in the debate and in the resolution. In my contribution to the debate last week - in which more than half of Irish MEPs contributed - I noted that a poll carried out in March in Northern Ireland recorded that just 5% of people polled in the North trusted the UK Government to safeguard their interests in the negotiations on the protocol. As I mentioned, John Hume's great achievement in respect of the Northern Ireland issue was to internationalise the Northern Ireland dispute. He not only brought in US involvement but also EU involvement. We are at a critical juncture in the constitutional arrangements on the island of Ireland and in the UK, and in relations between the EU and UK. It is critical that we maintain that EU interest in the future of Northern Ireland.

I spent many months raising awareness of sensitivities in Northern Ireland in the European Parliament. I am glad to say that the language adopted in the resolution states that the European Parliament wants to engage in "ongoing and enhanced dialogue between political representatives and civil society, including with Northern Ireland representatives, on all aspects of the Protocol on Ireland/Northern Ireland and the broader Northern Irish peace process". This is dedicated towards the idea of developing connective tissue between the European Parliament and the Northern Ireland Assembly, and between Belfast and Brussels. It commits the EU in the future to playing this role in ensuring peace and stability in Northern Ireland. The EU should clearly not make any concessions to those engaged in violence but the unrest has demonstrated that we must ensure the protocol works for all communities. As I have said, one of the ways to do that is through those channels of continued and sustained dialogue between Belfast and Brussels.

I have held the strong view that a dedicated parliamentary structure is required for dialogue between Belfast and Brussels in order to facilitate the kind of open and constructive debate that needs to happen. This would help dispel criticism that decisions are being imposed on Northern Ireland by Brussels. As members are aware, the Northern Ireland Assembly will vote on the protocol in December 2024. That seems an awfully long time away now but it is important that we strategise in anticipation of said vote. Much will be determined by the Northern Ireland Assembly elections of May 2022, but we must develop strategies to that end.

I have spoken for five minutes so I will not continue to refer to the paper I submitted to the committee yesterday. I encourage members to look at the balance of it and I hope I can come to the other matters in the question-and-answer session.

**Chairman:** The sound is coming and going. Perhaps Mr. Andrews is a little too far away from the microphone. I thank him for his comments. There is no doubt that members will focus on the matters he highlighted relating to enhanced engagement between Brussels and Belfast. It sounds like both a proactive and very positive move.

**Deputy Neale Richmond:** I thank Mr. Andrews for the presentation. It is great to see him, albeit virtually.

I will pick up on some matters, the most important of which is his final point. The Chairman alluded to it, namely, the suggested parliamentary structure between Belfast and Brussels, which would be really progressive and important. I would appreciate it if Mr. Andrews could, for the sake of the meeting and the public record, take a moment to elaborate on the idea. A number of people in Northern Ireland have also raised the prospect of observer status for Northern Irish representatives and it something we have seen before in the case of accession states, for example, Croatia, before they join the EU. They did not have voting rights but they were able to participate and shadow the work, particularly in the European Parliament, as well as the European Committee of the Regions on a local authority level. What are the thoughts of Mr. Andrews on that?

I have two specific questions on the trade and co-operation agreement, TCA. I raised the first with the Minister for Foreign Affairs, Deputy Coveney, last week. In an address to the European Parliament, Commission President Ursula von der Leyen spoke about enforcement capabilities and the fact that the European Union will have teeth in order to ensure this agreement is followed. What sort of role will the European Parliament play in this? Crucially, what is the role of member state parliaments and governments when it comes to enforcement? The enforcement of the withdrawal agreement has led to a number of legal challenges from the European Commission against the British Government over the implementation of the protocol and various unilateral mechanisms so I am interested in how that will fall in with the TCA.

The second point concerns improvement. We are all quite aware that while we are glad there is a TCA and it was not a no-deal position, it is relatively thin and the agreement certainly pales in comparison with what we had when the UK was part of the European Union. On the basis of a small margin in a referendum result, the British Government has pursued a very hard Brexit, which is disappointing. What is the scope to build on this agreement and perhaps get greater co-operation? I am specifically thinking of areas such as veterinary matters or sanitary and phytosanitary concerns. This might take pressure off the protocol in one way while ensuring the EU and the UK can remain very close partners.

**Chairman:** If we keep the engagement brisk, members will get a chance to contribute again as there is no shortage of time today.

**Mr. Barry Andrews:** The committee might hear me better without my headset.

**Chairman:** It seems a little better.

**Mr. Barry Andrews:** I thank Deputy Richmond for his question. There are three options for what I might term connective tissue between Brussels and Belfast. We could have a Northern Ireland delegation of the European Parliament. This is something I have in mind to do and

it is something that could be done without requiring any permission from governments. Currently, there is a joint consultative working group under the withdrawal agreement comprising expertise from civil servants. There is, however, no representation of civil society, academia, experts in human rights or parliamentarians. It is a good mechanism but it meets once a month and cannot make any binding decisions. It must feed into the joint committee. There is a real need for a parliamentary option.

The primary way to deal with this would be to carve from the parliamentary partnership assembly a subcommittee dealing specifically with Northern Ireland. There would be Members of the European Parliament and MPs from the UK, with the potential to have MLAs involved. Failing that, there could be a Northern Ireland delegation from the European Parliament.

I have raised with the President of the European Parliament that there should be a Northern Ireland Assembly office located within the European Parliament building because of the special status of Northern Ireland. We must really remind ourselves all the time that Northern Ireland is in a totally unique position because it is in the Single Market for goods and it will be affected by EU laws that we make in the European Parliament and in the Council. We are guardians of the Good Friday Agreement into the future so it is really critical we establish some better connections with the Northern Ireland Assembly and leave the door open.

On the question of enforcement capabilities in the context of the agreement, the role of the European Parliament is evolving. In the resolution we set out our ambitions for how we will be involved. Normally, with trade agreements, the European Parliament is entitled under treaties merely to be informed of what is happening. We have sought from the European Commission an inter-institutional agreement, which gives stronger powers to the European Parliament. The European Commission has indicated it will involve the European Parliament in the bigger questions, such as the power that the Commission has to end the TCA with 12 months' notice or to amend it. Any of those steps would include the European Parliament. The process is really evolving and the European Parliament is trying to decide exactly where its supervisory position will be. Will it be within trade and foreign affairs committees or will the UK co-ordination group continue? All that remains to be seen.

On the question of member state parliaments, much can be done. Within the architecture of the Good Friday Agreement we must really put new energy into that. I am particularly concerned with North-South and east-west co-operation. That is strands two and three. I am surprised the scrutiny function of this committee has not changed post Brexit. We relied, to a certain extent, on Whitehall to analyse some of the proposed regulations and directives coming from the European Union and we could do more to scrutinise future legislation, with a particular focus on how it might affect Northern Ireland. Perhaps the scrutiny function could be reviewed.

It is probably worthwhile mapping the multiple reviews that are coming up under the TCA and the withdrawal agreement, whether they concern the grace periods we have heard so much about, the four-year review of the protocol or reviews of fisheries or the TCA. All of these are pitfalls so it would be worth mapping when those reviews are due and what are the issues. In developing its work programme, the committee to tailor it to some of the potential minefields that lie ahead. The Deputy is absolutely right that this is a thin agreement. It is supposed to be a foundational agreement with additions on security and defence, recognition of professional qualifications, data and financial equivalence. All these things remain to be settled and all of them are minefields. This committee will probably be well served by mapping all of that out and figuring out how to contribute in some way to safeguarding Ireland's interests, and, indeed, Northern Ireland's interests.

**Deputy Dara Calleary:** I thank Mr. Andrews for his presentation and engagement. I agree with him about the parliamentary structure. That is an important matter. He mentioned the legacy of John Hume in internationalising the Northern Ireland issue. It would be a tribute to his legacy, as a former Member of the European Parliament, if the European Parliament could be proactive and recognise its role in the Good Friday Agreement. I encourage Mr. Andrews to push that engagement with the Northern Ireland committee.

Beyond the Irish MEPs, what is the extent of the engagement within the Parliament around the trade and co-operation agreement? I got the feeling that when Brexit happened, the Parliament had moved on. Brexit had happened and it was left to the Irish MEPs, such as Mr. Andrews and Deputy Harkin when she was there, to fight the fight because Europe had taken the view that it had moved on. Is it the same with the trade and co-operation agreement? Are we the only country that is actively engaged in monitoring it, given the impact it will have?

Mr. Andrews spoke of the passing of the agreement representing a new phase. The papers this morning are reporting on the situation in Jersey, where the French Government is threatening to cut the power to the island as a consequence of a dispute on fishing. Our own fishing community here is alienated once again from this agreement because of the impact it is going to have on it. Mr Andrews mentioned in his submission that there are 27 issues yet to be sorted out around the protocol. At what stage are we going to move on to the constructive part of this new phase? He also stated that progress on those the 27 issues is slow. Is it slow at EU level or at UK level? How can we inject urgency into that position? Resolving those issues would allow us to build confidence in the protocol within the unionist community, to show that it actually works in the best interests of Northern Ireland.

I will deviate slightly from the topic. Mr. Andrews mentioned the Conference on the Future of Europe starting way back in November, which seems like a long time ago. This was our priority at that time but events have overtaken us. Given what Michel Barnier has said, how would this and the events of Brexit feed into the work of the Conference on the Future of Europe in a measurable way? What can Mr. Andrews say about that conference, as something real as opposed to something that is happening within the EU bubble?

**Mr. Barry Andrews:** The Deputy's comments on John Hume are very well received. In fact, the President of the Commission, Ursula von der Leyen, quoted extensively from John Hume in her state of the Union address in September. He continues to be a very influential person. Billy Kelleher and I, on Mr. Kelleher's initiative, are seeking to name one of the buildings in the European Parliament after John Hume. I am not sure how that is going but it is something we can continue to pursue.

As regards the non-Irish MEPs, they are very interested in all these issues because they have an impact but the further east and south one goes, the less interest there is. It is not a first-tier issue any more; there is no doubt about that. However, there are serious concerns around data adequacy and financial services among non-Irish MEPs.

Deputy Calleary referred to fisheries. The French Government is very exercised about this and the Minister for Foreign Affairs, Deputy Coveney, made the point to this committee last week that this was a suboptimal outcome for Irish fisheries. That is accepted and hopefully the Brexit adjustment reserve can go some way to mitigating the damage that has been done to the Irish fishing fleet. The protocol has dominated the relationship between the EU and the UK in the first few months. There have been little skirmishes around recognition of the EU ambassador in London, for example, and obviously the Article 16 situation did not help things.

There are many more issues to be resolved now between the EU and the UK that go beyond the protocol. We have mentioned that security and defence issues must be resolved. The 26th UN Climate Change Conference of the Parties, COP26, is coming up and the UK will look to the EU for solidarity around developing outcomes from COP26. The same can be said of the G20. The Johnson Government will look to move on beyond the protocol, which might explain the better atmosphere in the exchanges between David Frost and Maros Šefčovič since their first informal meeting in April. I mentioned 27 issues and that is just with the protocol. There are many other issues regarding the trade and co-operation agreement that we are seeking to resolve. The very specialised committees under the trade and co-operation agreement are open to all member states. Ireland will attend all of those committees but lots of other member states will attend those specialised committees as well.

Regarding the Conference on the Future of Europe, as Monsieur Barnier said, it has forced people to think about these things. Whenever there is a crisis in Europe, it is an existential one. Nobody ever has a conference on the future of Ireland. The very idea that a state is somehow contingent on the way it manages to deal with crises as they come up is a slightly negative narrative. We need to focus on outcomes and making sure we can create the circumstances for job creation, viability of businesses, prosperity and growth in our economies. That is what citizens want. They do not want to hear about inter-institutional agreements or the balance of power between the institutions. None of that is of any concern to them. It is going to be very hard to get traction on a public consultation on this. There is a website where anybody can contribute their views on the future of Europe, there will be a launch next Sunday and the Irish Government will carry out public consultations. However, in the Institute of International and European Affairs we did a public consultation on the future of Europe - I believe Senator Chambers and Deputy Richmond were involved - and it was difficult to get public engagement. In the context of what is happening now and what people's real priorities are, it will be difficult to get engagement but that remains to be seen. It will be based on the political will and effort put in by the member states.

**Chairman:** The next speaker is Deputy Ó Murchú, followed by Deputy Haughey.

**Deputy Ruairí Ó Murchú:** I think Deputy Haughey is next. The Chairman can put me in after that. I have not put my hand up yet.

**Deputy Seán Haughey:** I thank Mr. Andrews for joining us and for the work he has been doing with the other MEPs on the trade and co-operation agreement and the Northern Ireland protocol. They have all been wearing the green jersey. That is apparent and we appreciate that here. The implementation of the trade and co-operation agreement is going to be complex. Mr. Andrews' submission states:

No less than 19 technical committees will oversee implementation of the [trade and co-operation agreement], under the auspices of the Joint Partnership Council. A Trade Partnership Committee will govern the work of ten trade-specialised committees. There are a further eight non-trade specialised committees.

Mr. Andrews will have his work cut out for him and from what he is saying, we have our work cut out for us as a committee as well. I support his call for new structures between Northern Ireland and the European Parliament and I note what he has said about that already.

I will go back to the Conference on the Future of Europe, which was mentioned in Mr. Andrews' statement. Deputy Calleary asked about it there and I also read Mr. Andrews' piece about it in *The Irish Times* on Monday. I note his disappointment that the Government has

already said it does not favour treaty change but that is not an issue for today. I refer to the position of Northern Ireland as regards the Conference on the Future of Europe. Both Mr. Andrews and the Government have stated the citizens of Northern Ireland should be facilitated in engaging in this process because they are affected by the rules of the European Union. He also mentioned the Government's plans and the website to be launched at the weekend. How does he believe Northern Ireland citizens can engage in the Conference on the Future of Europe? Is it just a question of dealing with the existing plans in place or is there any other way they could engage?

During the debate on the trade and co-operation agreement, the European Commission President, Ursula von der Leyen, seemed to strike a strident tone. She said a faithful implementation was essential. It does not look like there is much trust between the European Commission and the UK. How does Mr. Andrews feel that is going? We seem to have better relations between the partners discussing the Northern Ireland protocol. Generally speaking, as far as the European Parliament and the Commission are concerned, is there bad faith between the parties? How is the trust issue going? Was the European Commission President's line too strident and not necessarily helpful to smooth the waters to get all these issues dealt with?

**Mr. Barry Andrews:** Deputy Haughey read out the list concerning the joint partnership council and the trade specialised committees. Member states have a right to be represented and to attend all of those 19 specialised committees. However, that is merely at Civil Service level. It is at the parliamentary assembly level where MEPs will have a role to play.

The role of Northern Ireland citizens in the Conference on the Future of Europe will be at the consultation phase. There will be a role for Irish parliamentarians from the Oireachtas in the Convention on the Future of Europe, which will meet three or four times. Two of those meetings will be physical with the third one- and maybe a fourth - being virtual. It is likely there will be four representatives from each member state parliament. They will absorb what has been found based on the input from citizens across the European Union. It will be the duty of whoever represents Ireland at this convention to make sure they know the concerns and anxieties of Northern Ireland citizens. We can pretty much anticipate some of those things. Nevertheless, it will be down to those Oireachtas representatives at the convention to feed that information into the final outcomes of these processes.

Deputy Haughey referred to the strident tone of Ursula von der Leyen. There is a major trust issue. The UK Government has consistently demonstrated a lax attitude to rule setting, which goes back to the withdrawal agreement itself, when David Davis said it was not binding. Grace periods were extended unilaterally to the internal market Bill in September 2020. Even internally in the UK, there were issues with the prorogation of the UK Parliament, along with lax attitudes to standards, norms and rules that generated a serious amount of doubt as to whether the UK signed up to an agreement to which it will adhere.

The level playing field terms of the trade and co-operation agreement carry strong powers for the European Union to enforce those terms and, potentially, allow for the triggering of rebalancing measures, which means tariffs. This would be negative for Ireland and has to be avoided at all costs. That is why we need to put fresh energy into the political structures in order that we can depoliticise and dedramatise all of the potential conflicts and minefields ahead of us.

That is also why it would be useful for the committee to map out that timeline of what is coming down the line. Take the grace periods, for example, one is concluding at the end of June regarding meat products under the withdrawal agreement. Another one was unilaterally ex-

tended to the end of October with medicines at the end of December. Each of them potentially could trigger political disputes that would imperil everything else in the agreement. We have to be careful about all of this. That explains, to a certain extent, the rather strident approach of European Commission President Ursula von der Leyen. She reflects pretty well the view in Europe of this UK Government.

**Deputy Ruairí Ó Murchú:** I was going to ask what the view in the European Parliament on the British Government was. Obviously, there is a lack of trust. How could there not be? I imagine it is always the case when dealing with Boris Johnson. Even when one thinks one has a deal, one does not know whether it is play-acting or real politics.

I welcome Mr. Andrews's comments earlier on Northern representation. How far can that be pushed? Obviously, we are dealing with a cohort of people who will be affected by whatever determinations are made by the European Union and who have no right to reply on some level. How can we deal with that?

Will the Chairman allow me some room to move beyond just dealing with the TCA? I imagine, given the lack of trust, that if there is any element of a breach or fraying around the edges of the agreement, action will be taken. We are still dealing with the outworking of the grace period.

What is the view of the European Parliament of mandatory hotel quarantining here and the well-progressed conversation regarding the green digital certificate?

**Chairman:** I am sorry if I did not respond to the Deputy earlier but I am flexible when it comes to questions. I was not going to get involved there.

**Mr. Barry Andrews:** There is an open goal here for the accusation of a democratic deficit in Northern Ireland because they will be impacted in perpetuity and in the future, notwithstanding the vote on the protocol at the end of 2024, by laws made in the European Union. They will not have any input or oversight, apart from what is in the joint consultative working group at this time and through the UK Government. Polling shows Northern Ireland does not necessarily trust the UK Government to properly safeguard its interests. That has brought the entire Northern Ireland people together on a political issue and unified them in a way almost unprecedented in Northern Ireland's political history.

As one of the academic papers pointed out, what is required is the earliest possible upstream visibility of proposed legislation coming from the European Union regulations and directives and how they might impact Northern Ireland. The sooner we can establish that, the sooner we can then counteract the narrative that Northern Ireland is forgotten about and yet is impacted. The sooner we can counteract the possibility of voices in the Northern Ireland Assembly claiming the first they heard of EU law was when it was being transposed into Northern Ireland law, the better. It is critical that we strategise for the better involvement of Northern Ireland parliamentarians in the scrutiny of upstream legislation in Northern Ireland. That is really critical. It is not just me who is saying this. I have had widespread support in the Renew Europe group from MEPs from Denmark, the Netherlands, France and Germany for establishing something of this nature. It is a pretty open goal for us to be able to achieve that. Let us see how the parliamentary assembly gets up and running. There is no significant interest or enthusiasm on the UK side in respect of the parliamentary partnership assembly. It did the trade and co-operation agreement but the UK attitude seems to be that this institution will not automatically be set up and that it really depends on whether both sides are inclined to do this. One thing this commit-

tee should watch carefully is to see whether that UK-EU parliamentary assembly is established because it is the only political level at which the trade and co-operation agreement can be overseen in all of its implications. It is our view as MEPs that the withdrawal agreement should also be overseen by the parliamentary assembly.

Regarding the question about the digital green certificate, again, it was supported with a very large majority in the European Parliament last week. What that did was give a negotiating mandate to the MEPs who will represent the European Parliament in discussions with the member states about how the regulation would look. Those discussions between the European Parliament and member states started on Monday. One of the things the European Parliament has called for, which I support, is for members states to not be in a position to impose quarantine measures on EU citizens travelling within the EU who are in possession of a digital green certificate demonstrating that they have been vaccinated, have recovered from Covid or have had a recent PCR test that was negative. We want to get tourism and hospitality up and running and we want people to enjoy their free movement rights under the treaties. There are also many cross-border workers. It does not affect Ireland but on the Continent, cross-border workers being able to go back and forth without having to observe some of the public health restrictions is a significant issue.

This has been widely accepted in the European Parliament. There is enthusiasm for it. There are some concerns about its interoperability with third countries, in particular the UK, but the UK is developing an app and it is its intention that it will be accepted in other countries. It has not specifically concluded that this will happen with the European Union but from our point of view, it is really important that it is something this committee keeps an eye on. The Irish MEPs are keeping a close eye on it as well.

**Chairman:** As Senator Chambers is outside the campus, I will raise her question with Mr. Andrews. Regarding future parliamentary oversight of the ongoing implementation of the trade and co-operation agreement, Senator Chambers wishes to know whether there is any potential dispute and any associated resolution mechanisms to deal with this.

**Mr. Barry Andrews:** Yes, the whole idea is to try to avoid the infringement proceedings we are in. The unilateral decision to extend grace periods triggered the infringement proceedings. The UK has until 15 May to respond to that. The next step would be a reasoned opinion and it could end up before the European Court of Justice. However, there is a question as to whether the UK courts would enforce a ruling of the European Court of Justice under that mechanism so it is really untidy and it takes an awful long time to resolve those issues. There are specific mechanisms for dispute resolution within the trade and co-operation agreement that can lead to enforcement measures, up to and including suspension of parts of the agreement, up to and including ending the agreement completely so we are never more than a year away from a no-deal outcome because one of the parties can end the agreement with 12 months' notice. We want to avoid all of that and the very complicated institutional architecture that has been created in other trade and co-operation agreements is designed to avoid all of those potential pitfalls and outcomes.

As Deputy Richmond mentioned at the beginning, this is a very thin agreement. It is full of pitfalls from what has already been agreed. A range of issues remain to be agreed. My concern is that Northern Ireland could become collateral damage and that it could add to the uncertainty and instability in Northern Ireland. This is one of the things we are watching very closely. That was one of the main reasons that I was persuaded that ratification now was the right thing to do. We were all anxious that we would not ratify until there was full compliance with the imple-

mentation of the withdrawal agreement and the protocol but we were convinced that because of the dispute resolution mechanisms, which are far less unwieldy than what was on offer before that, it was worthwhile putting that in place. I hope that answers the Senator's question.

**Senator Lisa Chambers:** It does.

**Deputy Marian Harkin:** It was interesting to hear Mr. Andrews say that MEPs across the board are still interested. I thought that some of that interest might have diminished as other issues took hold. Is there any sense of frustration and of wanting to move forward or because of the particular set of circumstances, does Mr. Andrews get a sense that they are willing to stay with it not just for now but for as long as it takes?

My second question refers to the proposals by Mr. Andrews about some kind of Northern Ireland delegation to the European Parliament. Could he flesh this out to look at where this starts and finishes? Who would set it up? Who would take on responsibility? Mr. Andrews mentioned civil society at Northern Ireland level as well as parliamentarians. If we look at civil society, where does one start? Who is involved? How does that feed into the European Parliament itself? Would it be through a special committee or some other mechanism? What would its role be? What would it do? How much influence might it have? Would it be consultation only or would it have specific influence? It is an excellent idea. It must be meaningful but at the same time, it must operate under the current legal basis. Mr. Andrews mentioned observer status. In respect of countries that were going to join, these were people who were elected as MEPs so there was a specific structure for that. Any detail Mr. Andrews could give me on a proposal for a specific structure would be welcome.

My third question relates to the conference on the future of Europe. Having been in the European Parliament during the referendums on the Lisbon treaty, the Stability and Growth Pact etc., I agree with Mr. Andrews that people are not interested in the different competences and institutions. Essentially, they want to see that Europe works. Whether this is around a vaccination programme, investment post pandemic or a response to climate change, that is what most people want to see. I agree that for Europe to work more efficiently, we probably do need treaty change but can we deliver it?

**Mr. Barry Andrews:** Deputy Harkin knows the European Parliament better than I do. I have only been here a year but I have been astonished by the level of knowledge. If we look at what has happened since 2016 when the referendum happened, we can see the number of MEPs who came to visit Ireland, visited the Border and had an opportunity to engage. It was an eye-opening experience for most of them. They were surprised by the degree of division that remains in Northern Ireland. There is an interest in it. There is a strong sense of sympathy for the nationalist position among MEPs, apart from the Irish MEPs, in the context that the partition was a historical mistake. Unionism probably has does not have as great a listening ear in Brussels as nationalism. I see that as a problem because all communities in Northern Ireland must be listened to and their voices must be heard regarding the protocol. There is a continuing interest in the issue but it is very much reduced. We will not find it on the European Council agenda for a long time to come. It is a tier-three issue at this stage compared to where it used to be.

To flesh out my thoughts on this, first, there will be a UK delegation, which is an official delegation of the European Parliament. I am a member of the South African delegation and there is a US delegation. That is an official delegation that will be set up. I suggest we would have a carve-out of the parliamentary assembly specifically dedicated to Northern Ireland with representatives of the Northern Assembly and the European Parliament, but I am hastening very

slowly on that because it would have a great number of pitfalls. The questions Deputy Harkin posed are practical as to who is involved, the buy-in from all communities in Northern Ireland and what powers this might have. Let us remind ourselves that the parliamentary assembly under the trade and co-operation agreement merely has the power as a forum to exchange views. That might seem like a talking shop to most of us but one of the great deficits as a result of Brexit is the proximity between members of the Oireachtas and Westminster and of officials from Ireland and the UK. I read recently that John Major remembered the peace process and much of the progress that was made under his tenure was created in the margins of the European Council between himself and Albert Reynolds prior to the Downing Street Declaration and in the run-up to the Good Friday Agreement, after which both of them had moved on but they both made a major contribution. That is where this sits as a carve-out of the parliamentary assembly. Alternatively, there is a possibility for somebody like me to simply set up a Northern Ireland group within the European Parliament. That does not require approval from anybody. It would be just an interest group which could develop over time. However, I want to see what we get out of the parliamentary assembly and if that can be set up at all. Those issues remain to be seen.

On the Conference on the Future of Europe, it is all about investment, climate action, recovery, vaccines and making sure the European Union works for citizens, but there is also another issue since the last time we probably reflected on it, which is the massive decline in democracy and pluralism across the globe. The democracy index produced by Freedom House at the beginning of the year noted that less than 20% of the global population live in free countries and that democracy has been backsliding across the globe for 16 years consecutively. The European Union is an island of pluralism, rule of law, democracy and internationalism. There is a bit of restating some of those values that bind the European Union together. There are problems within the European Union. Let us be open and honest about that with respect to Poland, Hungary and the rule of law. The Conference on the Future of Europe is an opportunity I hope will be taken to restate those values and to be definitive that these are values that are worth defending and restating. It is not insignificant considering what is happening across the globe, particularly on internationalism, which is such a key interest for Ireland.

**Chairman:** We will move on to a second round of questions. Deputy Ó Murchú is first on my list. Before I call him, I have a brief question. We are constantly being introduced to new jargon in the European Union. I thank Mr. Andrews for that new medical jargon term, connective tissue. It stands out. I appreciate what he and the eight MEPs were trying to do. It is important to have that link between Belfast and Brussels. Has Mr. Andrews tested the water in Belfast on this issue and I am specifically referring to unionism? What would this look like in practice? Potentially how would he see this operating in practice?

**Mr. Barry Andrews:** Many observers have noted there are voices within unionism that are interested in the practical implementation of the trade and co-operation agreement. I was surprised at the time that more attention was not paid to the strategic benefits that await Northern Ireland on being both in UK and having access to the European Single Market. I am surprised there is not more debate within unionism on that, but there are voices within unionism that recognise, and this comes out in polling all the time, that the harder the Brexit, the greater the support for unification of the island of Ireland, with the corollary being that if Brexit works or if it is seen to work it may strengthen the Union. I am somebody who supports the unification of the island of Ireland and I am surprised unionists are not strategising more about the practical implementation of the trade and co-operation agreement and all that goes with it. If we can achieve some progress on the protocol, the grace periods and all the constitutional anxieties

that arise in unionism regarding its status within the UK and deal with some of those issues, we can move on to having proper discussions about the practical implementation of all the consequences of the withdrawal agreement.

I have spoken to many people in Northern Ireland. This issue is not necessarily something one can talk about in public but I have had very constructive discussions with people in North from all communities. Those discussions have informed the proposals we put before the European Parliament and they have been adopted in the resolution that accompanied ratification last week. Hopefully, in due course when we get past these protocol issues and restore stability that might be possible. In practical terms, while the Assembly elections in May next year do not permit a great degree of flexibility, it may be something that will take a little bit longer than originally anticipated but that does not mean it is any less relevant and 12 months is a very short period in Northern Ireland politics. We will stand by and carry on having continual and structured dialogue with our colleagues north of the Border and hopefully it will be to the benefit of all communities in Northern Ireland.

**Chairman:** I thank Mr. Andrews for that reply. I call Deputy Ó Murchú to be followed by Deputy Richmond.

**Deputy Ruairí Ó Murchú:** The Chairman has asked about some of the issues I was going to deal with. Regarding the parliamentary assembly, it is welcome Mr. Andrews has had conversations even if they are not for public consumption regarding the North and across all and sundry. What interactions has he had at EU level on his proposal, its viability and what people's thoughts are on it? It is much better if we can get a parliamentary assembly with a northern-specific remit rather than just an interest group. He will have to operate with respect to what can be delivered.

Mr. Andrews spoke about Brexit. It has been a game changer in Irish politics with respect to the national question. What are the views across Europe on that issue? I note there has been solidarity throughout the whole period on the Brexit issue and the position of the North, but is there much discussion on the possibility of a referendum on Irish unity and it resulting in Irish unity? I imagine there are also conversations about Scotland, particularly when there is an upcoming election.

Mr. Andrews spoke about rule of law issues. While everybody welcomes the necessary trajectory of dealing with the disgraceful politics of certain states, there is still the wider issue of how Spain deals with Catalonian representatives. Is there a conversation on that in the European Parliament and what are the views on it?

**Mr. Barry Andrews:** On the traction on the EU side, there is very positive engagement from the Commission. I have had discussions with a representative of the Commission on this proposal.

On the resolution itself, I referred to enhanced dialogue in my paper. There was some opposition to the idea of creating new structures, as they may reopen the trade and co-operation agreement and, therefore, provide leverage to the UK side to reopen elements it is not happy with. That is where the pushback comes from and it is why the resolution does not use the exact wording I had proposed. That is practical and there is enough in the wording to progress the proposal.

I have spoken to people about a referendum on Irish unity. There is a position that if the

outcome of any referendum on Irish unity moved towards a unification of Ireland, it would trigger Northern Ireland coming into the European Union. The former Taoiseach, Enda Kenny, achieved that in the European Council a few years back. There is a great interest in the potential disintegration of the United Kingdom and what it might mean. There is also a question of Scotland coming into the European Union, and this has implications for Spain and Catalonia, as the Deputy said.

I support the Taoiseach's shared island vision that this is not only about reunifying territory but primarily about unifying people. We are a long way from a border poll and Irish unity. One of the lessons of Brexit is that one does not hold a referendum when one does not know what the landing ground is. We have not held enough conversations politically on this island about what that landing ground would be. Sometimes the metaphor of an acquisition or a merger is used. I do not believe it will be an acquisition where Northern Ireland simply disappears. It will be more of a merger where two entities merge into a new one. We must have that discussion. We must have a landing ground that is clear to voters when they are voting, North and South, in a border poll.

We also must review the Good Friday Agreement. There has been discussion around parallel consent, a proposal made by the late Seamus Mallon some years ago. A huge amount of discussion needs to take place before we get down to triggering a referendum. That is widely accepted on the European Union side.

**Deputy Ruairí Ó Murchú:** I agree with Mr. Andrews that we need to have such a discussion. I am not saying a referendum would be held tomorrow. We must play our part by having a full conversation, including on what the new Ireland would look like - the landing zone of a new united Ireland. The idea is that a new entity would be an opportunity to create something new and better. I agree with Mr. Andrews that we should start the conversations as soon as possible. A citizen's assembly or something like it could be a facility on this island that would allow for some of that to happen.

**Mr. Barry Andrews:** The timing of all of this is probably not ideal. Before we get anywhere near having these kinds of discussions, a settlement that needs to take place with regard to all of the issues we have spoken about this morning, namely, the institutional architecture of the trade and co-operation agreement, the re-energising of the architecture of the Good Friday Agreement and ensuring the east-west and North-South structures are restored. Nevertheless, these discussions are taking place at an academic level. I contributed to the papers now in circulation from the University of London and elsewhere, which identify some of the pitfalls that remain. The Brexit referendum is all we need to know about the dangers of holding a poll without knowing what the options are thereafter.

**Chairman:** On the point about further engagement, Mr. Andrews will be aware of the politics in action programme which involves schools on both sides of the Border. It is part of the programme for Government and has been active, even during Covid. I have been hearing, anecdotally, that this engagement is very productive. The conversations are not focused only on the issues involved in our political discourse but also cover issues that affect young people. The clerk will be happy to pass on the details. There is a lot of engagement between Belfast and Dublin but maybe Brussels should also be involved in some way. This is just an idea.

**Deputy Neale Richmond:** I have two follow-up questions for Mr. Andrews. The first, which is to some extent the elephant in the room, is the fact that the trade and co-operation agreement has no scope in the area of financial services. There is much more discussion to

be had in this area. There is an acutely difficult path ahead for Ireland, especially for Dublin where Mr. Andrews and I are from, and the impact on the financial services industry here. Our industry very much complements the City of London, as opposed to possible competition from other large European Union member states and cities. Will Mr. Andrews give his view on what discussions need to happen, or are happening, and how they should go with regard to equivalence, clearing or any of those areas?

I was taken by a speech Mr. Andrews made in plenary session - I believe it was before Christmas - in which he referred to keeping an empty chair in the European Parliament and how the former MEP, Otto von Habsburg, had spoken about how this represented the central and eastern European countries that had been left behind. We were all thrilled at the weekend to mark the anniversary of the accession of those states. Mr. Andrews made that point in the context of the UK leaving the EU and possibly returning. Deputy Ó Murchú and Mr. Andrews, in their back and forth, referred to the possibility of Northern Ireland coming back into the EU as part of a united Ireland, as is allowed for under the European Council decision of 2016, and an independent Scotland returning to the EU. The empty chair, for which Mr. Andrews made the case, is a salient and emotive image but it is also very true. The return of the UK to the EU should be an aspiration. Ireland has a duty within the EU to always keep this prospect alive or, as our friends across the water like to say, to keep the light on. To do that, a lot would have to change in the UK. Is it possible to realise that prospect in the next decade or two? Is there a level of sourness in other member states that we cannot get past at this stage? More importantly and more realistically, over the next five to ten years, how can we chart out a process that keeps the UK-EU relationship closer than perhaps envisioned in this trade and co-operation agreement? How can we maintain that relationship and what part can member state parliamentarians and MEPs play in that?

**Mr. Barry Andrews:** Members will be aware of the memorandum of understanding between the EU and the UK on financial services. It is, however, merely an opportunity for dialogue and does not move things along very much. Looking at the narrative around this, it remains to be seen whether the City of London is enthused about equivalence and all of the restrictions that might come with it. There is a feeling that the lack of equivalence is already priced in to the way in which the city is now operating. Relocation is taking place and investment is being reassessed. Changes are being felt in the City of London but whether there is an enthusiasm to set down the rules for the conditions for equivalence remains to be seen. The memorandum has to be formally ratified by the two parties, which is expected to take place in the next few months. It is also contingent on many other issues, be they the protocol, energy or other issues related to the level playing field, and all of them are connected and mutually reinforcing. If we talk about where to go to try to create a better relationship between the EU and the UK, obviously, these things have to be settled quickly and as soon as possible, and the sooner the better. It is critically important for Ireland. For example, 65% of funds held in Dublin are managed funds out of the UK or the US and consequently, we have a financial services system that is more Anglo-American than European. It is in our interests that there is a financial equivalence. We will certainly drive that.

The speech that I gave before Christmas - I thank Deputy Richmond for remembering that - was based on the assessment that a majority of young people in the UK supports being members of the European Union and all of its values, as does a majority in Scotland, a majority in Northern Ireland and a majority in many of the big cities across the UK. It was to try to remind those people that they had not been forgotten and there would always be a voice in the European Parliament to ensure that they understood that if there was a change of government

at the least and a change of hearts there I, for one, would be advocating for readmission of the UK. We also have to remember the UK was a difficult member of the European Parliament. It was slightly semi-detached all the time by being outside Schengen, with opt-outs on freedom, security and justice, not being in the eurozone and not being involved in all the big issues such as the eurozone crisis and the migrant crisis. I am not sure there is a massive enthusiasm. It depends now on what happens with the constitutional set-up of the UK, whether there is a Scottish referendum and whether Scotland comes in. All of those issues remain to be seen. We are still in a holding pattern in that respect.

I mentioned earlier what I think the member states can do. I mentioned the structure. The Good Friday Agreement is important. The scrutiny function of the Joint Committee on European Union Affairs is an important aspect of that. We all have links with Northern Ireland. We all have links, culturally and socially. We have family in Northern Ireland. It is important that we tailor our rhetoric in order that it is understood that we are interested in representing all of the communities and that we really are about bringing people together. That is why I support the shared island vision. That language that we use is critically important.

As well, the committee might think about the joint consultative working group, which is an element of the withdrawal agreement, by figuring out who are the officials who are dealing with that, who are inputting into that and thereby being able to call on them to answer a question that the committee might have. That is a group that is meeting on a monthly basis that feeds into the joint committee on the withdrawal agreement. Identifying those officials and being able to call on their insight would be useful for the committee.

**Chairman:** I thank Mr. Andrews. Deputy Haughey is our final contributor.

**Deputy Seán Haughey:** I have just two questions that are slightly off the topic. If Mr. Andrews wants, he may answer them now, give an initial reaction or come back to me on them.

The first relates to the €750 billion recovery and resilience fund. Ireland is hoping to get €915 million from that. There are reports in the media that the European Commission has asked Ireland to step up action to tackle aggressive tax planning by multinationals, which raises the issue of corporate tax rates, digital taxation, etc. Has Mr. Andrews a view on where stands Ireland's application in the first instance and on the bigger issue of corporate tax rates, digital taxation etc.? We probably need a meeting all of its own to deal with that issue but I would appreciate it, were Mr. Andrews to give an initial reaction to it. Also, where stands the other fund, the Brexit adjustment reserve fund of €5 billion? Does Mr. Andrews know, at this stage, the position regarding Ireland drawing down money from it?

**Mr. Barry Andrews:** The recovery and resilience fund, RRF, allocation is just under €1 billion, as Deputy Haughey said. One of the critical ways in which the agreement was arrived at in July last, when the frugal four governments were anxious about the lack of contingency associated with the allocation of the RRF, was that there would be these measures put in place. We are used to the country-specific recommendations that come out annually from the Commission and require each of the member states to develop social policy, economic policy and fiscal policy in line with the overall direction of travel in the EU - let me put it that way. I am not surprised that there is a reference here to aggressive tax planning. The big issue here is the initiative of President Biden and what that means for the Irish corporate tax rate. We have been clear all along that we are open to whatever comes out of an OECD process so that there will be a global tax regime that allows for reasonable tax competition. That has been Ireland's position consistently. If the OECD goes down the road of finding a solution that is acceptable to the US

and to the EU and to others in the OECD, then it would be very difficult for Ireland to resist that. That is the reality of the situation.

There are two big meetings coming up. The G20 is meeting in July and October. It is more likely that an agreement will emerge in October. As I understand it, the US Treasury officials are just reading themselves slightly into their brief under the Biden Administration and July is a little soon. Certainly, by October, we will see the shape of a potential agreement. This is all happening very quickly. The proposals in the Biden Administration, for its own corporate tax rate but also for the global intangible low-taxed income, GILTI, tax rate around intellectual property, are very significant for Ireland if adopted but the landing ground is probably going to be somewhere a little less than what is proposed. Instead of 21%, the GILTI rate might be in the late teens. It is a watching brief. Ireland has always been nimble in arguing its point. As long as we retain tax autonomy, we will be able to safeguard our industrial model.

I would agree with the view that if this proposal had come along 20 years ago, we might not have been able to cope with it. I agree with the view of Mr. Seamus Coffey that it probably will not impact on investment currently in Ireland but it could have an impact on investment in the future, that is, the foreign direct investment, FDI, pipeline that has been positive.

On the Brexit adjustment reserve, BAR, this has been a big green jersey effort. All of the MEPs tried to make an impact and tried to safeguard Ireland's interest in the BAR. It was an outworking of the July 2020 European Council. The outcome is slightly less than we had initially hoped for but it is still a positive one. It is between 20% and 21% of the overall total or €1.06 billion out of €5 billion, but it is not settled yet. There are still discussions going on at European Parliament level. There will be a vote next week in the budget committee. I am continuing to engage with the French rapporteur on that file - Deputy Harkin will be aware that is a tricky enough discussion to have - but we are not alone. There are other smaller member states impacted by this, namely, Belgium, the Netherlands, Denmark and Sweden, that have shown a common way of thinking about this with Ireland. Whatever the outcome, it is quite positive for Ireland. It is a little less than we had initially hoped for but that is the European method.

**Chairman:** I thought Mr. Andrews was out the gate there but Deputy Harkin has come in with a late question.

**Deputy Marian Harkin:** I will be brief. Mr. Andrews mentioned that the UK sometimes were difficult members. That is true but in the political day-to-day aspects of the European Parliament, EP, with very few exceptions I found that the UK MEPs were good colleagues. Maybe to some extent we had not just a shared language; we had shared levels of understanding. Barry mentioned the connection in financial services. We also had a shared approach to the law etc. We often said that within the Council, the UK sometimes did part of the heavy lifting. That was absolutely true within the Parliament as well. If, for example, there was a British rapporteur on a particular dossier, while the political perspectives might be different there was definitely a connection and a shared understanding. That is now gone. What bridges are being built and what connections are being made, based on Mr. Andrews's personal experience within his group? What does he see happening in other groups, and what connections are being made there? He mentioned that he is talking to the French rapporteur and that it is tricky. There are many issues that are tricky. Some battles can be won and some things can be influenced, and sometimes one has to recognise that they cannot be. Mr. Andrews spoke about corporation tax earlier. Year after year I saw the majority within the Parliament in favour of serious reform here increasing. Within that context, what is Mr. Andrews's experience of building bridges?

**Mr. Barry Andrews:** Deputy Harkin is absolutely right. I was not in the European Parliament when the UK MEPs were there. I was one of the ghost MEPs for eight months so I did not have the opportunity to appreciate their contribution but I certainly heard hearsay that the UK Liberal Democrats had a very influential voice in our group, which is the Renew Europe Group. Their loss will be felt not just in the European Parliament by Ireland but also in the European Council. I have always imagined a great Whitehall X-ray machine that looks at all the proposals from the European Union from a common law perspective and from a free trade perspective, on which Ireland and the UK are aligned. It is accepted that that is a tremendous loss. Even in the academic space, UK universities had big European law departments that are gone now or are not as significantly resourced as they used to be. These are all big issues for Ireland and that is why it is great that we are putting more resources into Erasmus and trying to step up our consular and diplomatic representation across all the EU member states. The loss of the UK will be, and is, sorely felt by Ireland. There is no doubt about that.

We are getting through this bit of it and now we want to set up a parliamentary assembly. It is important that the UK is open to that. We wanted to highlight that with the committee today, to keep an eye on whether the UK is going to lean into that proposal within the trade and co-operation agreement, because that is how we will develop those links into the future. It is that proximity and the margins of these types of meetings that will enhance the EU-UK relationship and the Ireland-UK relationship. They have so much to contribute to us. The French are very important allies but they say there is no such thing as a permanent alliance, there are just permanent interests. The Brexit adjustment reserve has been an exercise in selling the green jersey. All the MEPs from Ireland have been developing contacts within their groups and with other groups. There are no Irish MEPs in the Progressive Alliance of Socialists and Democrats, S&D, group, which is the group with which Labour and the SDLP are aligned. That is a significant loss. It is a huge group within the European Parliament with no Irish MEPs so we have to reach in there from time to time and continue to develop links there. Part and parcel of our daily work is developing those networks and alliances. From time to time we pull in the same direction but we could probably do more of it. I hope that answers the Deputy's question.

**Chairman:** I will leave Mr. Andrews with a final question. Noelle O'Connell from European Movement Ireland has written to the committee highlighting a recent Red C poll. No doubt Mr. Andrews has access to these figures but I will highlight a few of them. On a positive front, 84% of the people surveyed agreed that Ireland should remain as part of the EU. That is really strong and is reflective of what people are saying on the ground. One hears it through the media as well. Interestingly, only 35% felt that in order to deal with a crisis such as Covid-19, Ireland and other member states should give the EU more control over healthcare policy. I assume that is a reaction to the roll-out of vaccines in the European Union. There is a weakness there. Some 29%, which is a very low figure, agree that there should be more political and economic integration in the EU, even if that means member states lose control over economic policy such as tax. That is a very strong and loud message about protecting our own sovereignty in economic decisions.

Going back to a positive statistic, which will lead to my question, 71% of people interviewed in that Red C poll agree that the EU should do more to regulate digital media platforms, including online sources of news, information sharing platforms, social media, etc. I acknowledge that Mr. Andrews's committee deals with digital trade and that this is not his area. However, I am thinking about this in light of the fact that 52% of the people interviewed believe that we need to hold the Conference on the Future of Europe to reform the EU, which is a low enough percentage. Does Mr. Andrews think we can make progress on the debate about trying to regu-

late digital media, in light of the Irish people's opinion that we would stand stronger together as a European Union bloc on an issue like this, in order to take on the big tech companies and the difficulties and trouble we have with some social media platforms? Is this something on which we can make ground at a European Union level, rather than having to wait for discussions at the Conference on the Future of Europe? I would appreciate Mr. Andrews' opinion on that.

**Mr. Barry Andrews:** The Conference on the Future of Europe is due to report in the spring of next year, which is not very far away. It is a very ambitious timeline. It is worth listening to citizens and making sure it is a proper exercise in participatory democracy. If there are strong views emerging on those issues, particularly among young people, we should make every effort to absorb that in the way we develop public policy. The figures the Chairman quoted are very interesting. That 84% is probably the highest in Europe and we are consistently the highest in that regard. We are all remainers, to use the UK terminology. However, the further integration and deepening of European powers is a very different question. While it is not surprising that only 29% support an EU tax policy, there are other elements of that poll that are very interesting and it would be worthwhile taking them apart. The Chairman referred to a figure of 52%. A potential treaty change was also acceptable to 52% of people and there was also a positive attitude towards security and defence policy, which seems extraordinary to me. We have to be sensitive. It would be useful if Ms Noelle O'Connell came before the committee to unpack all of that.

On the digital side, Ireland is perceived in a certain way in the European Parliament. There is a sense that we are a bit light-touch with the large digital platforms we host here, which invest so heavily in Ireland and employ so many people. A lot of attention is drawn to the Data Protection Commissioner. There is a sense that her office could do more and that is compounded by the tax position. We are seen as a problem child as far as the digital space is concerned. It is an area on which we need to focus and watch out for our reputation. It is a very difficult area that lies ahead of us. Deputy Harkin made a point about the UK and how its absence will be felt in some of these spaces. We have a little bit of a crisis of influence. I have written previously that most of the loose regional groups in the European Parliament are just that - they are geographically contiguous with each other as they share a region or borders. Ireland sits out in the Atlantic Ocean slightly by itself and that makes it a little more difficult to defend our interests and reputation. Hopefully we can continue to work on those issues. The 13 Irish MEPs will continue to do what little we can and we will keep in touch with the committee.

**Chairman:** Mr. Andrews was nearly out the gate with Deputy Harkin but he is not out yet. We have a last dash interjection from Senator Martin. No doubt he will have a few words of wisdom and, potentially, a question.

**Senator Vincent P. Martin:** If the Chairman can hear me okay, I confirm that I am on the premises. I apologise for the fact that I was unavoidably absent for some of the meeting. I could not let the occasion go by without wishing Mr. Andrews well. He is a good colleague of the Law Library from yesteryear. Deputy Richmond was very generous in referring to one of his speeches and, in that same good spirit, I should mention that Mr. Andrews was very appropriate in his use of the term some months of "gunboat diplomacy". At a sensitive time, it ratcheted up things. As an MEP for Ireland, he is a statesman and is very competent in his work at the European Parliament.

I have one question if it has not been covered. I am a member of the French-Irish parliamentary group, which is very informal. I was imbued by the ambassador that there are new opportunities. Does Mr. Andrews there are new opportunities evident between Ireland and France, which is our new closest neighbour in the EU? Is he aware of formal or informal moves in this

regard? Deputy Harkin asked if there is any evidence of bridge-building with our closest colleagues in the UK but is Mr. Andrews aware of us seeking to seize an opportunity with France? There are major cultural ties and the Rosslare traffic is increasing. Does he foresee this as a major opportunity or is it being overhyped by some people?

**Chairman:** There is a question on the French connection.

**Mr. Barry Andrews:** It is great to see Senator Martin. I congratulate him on his election to the Seanad. It is good to see him and it is a long time since we caught up.

The French-Irish relationship is critical for us. When I was at the Institute of International and European Affairs, we did some work on studying that and we had an exchange between experts in the institute and French bodies at diplomatic levels. The Senator mentioned the massive increase in direct ferry traffic between Ireland and France and compared with January 2020, the figures are approximately six times greater for the connections, which is important. The energy connection, the Celtic interconnector, is a critical piece of infrastructure.

We are in the same group as French President Macron's people so it is dominated by our French colleagues. Ms Nathalie Loiseau, a former European affairs Minister for France, is in our group and she is our interlocutor on the Brexit file. We develop good connections with France all the time. It is often said the European Union is a German train with a French engine and, historically, a British brake. The British brake is gone but the Franco-German project will require our greatest attention. It is why we need to up our game in all these spaces. The Hanseatic idea has been developed whereby we would have loose alliances with Nordic and Baltic countries, or the Netherlands and like-minded states across the European Union. These are temporary alliances and from time to time we allow the French to speak, particularly on the agriculture and fisheries files. I hope they will do this for the climate files, as the French are very progressive on the Paris climate accords and ensuring it is stitched into trade agreements and enforceable. We should really push our values across the globe. The idea of strategic autonomy has been around for years. We consume a large amount of UK media and almost no French or German media, which is a major problem. I do not know how we can solve it. It is an English-speaking issue but those links are well worth cultivating.

**Chairman:** I think we are out the gate. We are very grateful. Ar son an choiste, tá muidne fíor bhuíoch den fhinné fá choinne na díospóireachta inniu, fá choinne na bhfreagraí éagsúla soiléire agus an léargais chuimsithigh. Coinnigh ort le do chuid oibre tábhachtaí, leis an éacht agus beimid i dteagmháil leat sa todhchaí gan dabht. Arís, táim fíor bhuíoch díot. Ádh mór. Gabhaim buíochas le gach duine uilig.

The joint committee went into private session at 11.05 a.m. and adjourned at 11.15 a.m. until 9.30 a.m. on Wednesday, 12 May 2021.