

CCBS – LEGISLATIVE AFFAIRS

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Northern Ireland
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Monday 3 October 2016

Summary: Mr Kennedy asked the First Minister and deputy First Minister whether the First Minister can outline the view that she has expressed to the Prime Minister and the Minister with responsibility for Brexit on the issue of what has been described as a hard border between Northern Ireland and the Irish Republic once the UK leaves the EU.

Mrs Foster: There are times when I wished, over this past 40 years, that we had a hard border between us and the Republic of Ireland: times when people were being murdered at will along the border, but there was no hard border. I find it very difficult to understand why those who voted "Remain" still do not get that we, as a United Kingdom, voted to leave the European Union. Some are calling them "Remoaners" — of course, I would not use that sort of terminology — and they cannot get that the only people who are talking about a hard border are people who voted to remain. Nobody on this side of the House is talking about a hard border — nobody. I do not know whether some people have become fascinated with Donald Trump's wall, but we do not want a wall built. Some people might, but I do not want a wall built along the border with the Republic of Ireland. We want maximum movement between us and the Republic of Ireland. We want a sensible way forward. I am working for a sensible way forward, but there are plenty in the Assembly who keep talking up issues that are not even on the agenda.

Mr Kennedy: I am slightly disappointed at the tone the First Minister seems to be adopting. When she is swilling champagne at the Conservative Party conference later this week — [Laughter.] — will she at least try to ensure that any future arrangements for border controls are not simply created at Great Britain's ports and airports?

Mrs Foster: It took only until 2.35 pm to get that one in. I assure the Member that nonalcoholic drinks will also be available at the reception — [Laughter.] — in case he wants to come along.

Mr Storey: He was not invited.

Mrs Foster: That is true, and that is part of the problem: we are listening to jilted lovers and their reaction to the way in which they deal with the Conservative Party now. We all remember the Ulster Conservatives and Unionists - New Force (UCUNF) — sorry, those who were in the Ulster Unionist Party at the time remember UCUNF. There are many on the UUP Benches, of course, who were not

in the party then. Monday 3 October 2016 28 Of course, I will be representing the best interests of the people of Northern Ireland when I go to Birmingham. I will be giving a very good account of what is happening in Northern Ireland, including the fact that we are an open, regional economy and want to remain an open, regional economy in the United Kingdom to take all the benefits of our membership of the United Kingdom while benefiting from our good relationship with the Republic of Ireland's Government, which will continue post-Brexit.

Source: <http://data.niassembly.gov.uk/HansardXml/plenary-03-10-2016.pdf>



Tuesday 4 October 2016

Brendan Smith asked the Taoiseach if he discussed with other heads of Government within the EU the serious implications for Ireland of Britain leaving the EU?

Enda Kenny: The issue of the UK's membership of the EU has been a regular feature of my discussions with EU counterparts for some time, including in the period preceding the June referendum. This outreach remains critical in the run up to the next phase.

During the negotiations which will commence when the UK has formally triggered article 50, it will be essential that our partners and the institutions have a detailed understanding of Ireland's priorities. In this regard, I welcome the statement provided by Prime Minister May at the weekend that the UK will trigger article 50 by next March at the latest. Our efforts will redouble now that we have some degree of clarity about the British Government's intentions. It is important that the process now moves forward in the most practical and sensible manner.

In terms of my engagement with EU partners, at every opportunity I make it a priority to emphasise and explain Ireland's particular concerns about Northern Ireland, Border and citizenship issues, the common travel area and the inter-connectedness of our economies. We had an extensive discussion on the implications of the referendum result at the June European Council in Brussels. As I relayed to this House afterwards, I took the opportunity during that exchange to outline Ireland's long and complex history with the UK, the uniquely close social, political and economic ties between these two islands and the profound implications for Ireland of a UK departure from the EU. Since June, I have held bilateral meetings with Chancellor Merkel, President Hollande, Prime Minister May and the President of the European Council, Mr. Donald Tusk. I also met with the other 26 EU leaders earlier this month at a summit in Bratislava. During all of these exchanges, I have ensured that Ireland's particular concerns have been highlighted and explained in detail.

My efforts have been complemented by those of my colleagues. The Minister for Foreign Affairs and Trade has spoken to every one of his 27 EU counterparts since the referendum, while other

Ministers and senior officials have also been active in outlining Ireland's case in contacts at EU level and beyond. In parallel, extensive analysis, planning and contingency work is progressing across all Government Departments. This is supported by administrative changes, including within my Department. A new division, led by a second Secretary General is bringing elements of the former EU, international and British-Irish/Northern Ireland divisions together to provide strategic oversight on particular issues. This includes an obvious emphasis on Brexit and support for the newly-established Cabinet committee on Brexit which I chair. Staff from the former EU division are being transferred to the Department of Foreign Affairs and Trade as part of the strengthening of that Department's role and capacity on EU matters including those related to the Brexit negotiations. Engagement with Ireland's embassy network abroad will also be important and already at embassy level some new posts have been established to focus exclusively on Brexit work.

Across Government, staffing and resources remain under review and will continue to be calibrated to respond to particular needs as this complex phase progresses.

Brendan Smith: I thank the Taoiseach for his response. Unfortunately, the indications from the Conservatives point to a hard Brexit. Are we going to witness Britain making the same old mistakes again in Northern Ireland by ignoring the democratic decision made by the people there in the recent referendum? If so, the people of England will be enforcing their will on Northern Ireland again. There is real concern along the Border, which is the area I am most familiar with, and in Northern Ireland with regard to what is going to happen. Prime Minister May's offer of a consultative voice in the Article 50 negotiations falls far short of the democratic wishes of the people of Northern Ireland.

If this trend continues, the Government will immediately need to show the heads of the EU - the President of the Council, the President of the Commission and the other 26 Heads of Government - forcefully and clearly that Britain's approach will unfortunately have a wide and negative impact on this island and on relationships between North and South and between east and west. It would not simply be about Britain exiting the EU. It would vandalise the layered complexities of the Irish political process. It would also damage the totality of relationships about which we have often spoken in this House and to which many communiqués issued by successive Heads of Government in Britain and in Ireland have referred.

I have previously raised with the Taoiseach the obstacles that may be encountered when products leave this island and transit Britain on their way to destinations in the rest of Europe or in other continents. Surely difficulties will arise when cargo leaves our island and hence the EU, goes through a non-member state - the UK - and tries to re-enter the EU again. I remind the House that we do not have ferry services to the north of Europe. This morning, I met a group of people from Fermanagh who have been involved in political life over many decades. They are very concerned about the messages they are getting from Britain regarding the complete and serious difficulties that will be faced by the entire island if these issues are not dealt with successfully.

Enda Kenny: I do not disagree with Deputy Smith's comments. When I met the Prime Minister in Downing Street, she said clearly that the British Government did not favour a return to a hard Border. She does not favour a return to a hard Border and neither do we. We will argue these fundamentally important matters forcefully and clearly, as suggested by the Deputy. The Secretary of State, Mr. Brokenshire, told the Conservative Party conference today that there is no intention of having a return to a hard Border. These clear statements need to be backed up.

It has been decided that while the European Commission, which has always dealt with applications to join the EU and in which the expertise is lodged, will be centrally involved in the negotiations on Britain's withdrawal from the EU, the European Council - the Heads of Government and Heads of State - will make the ultimate decisions here as the elected leaders of member states. These decisions will have the greatest impact on people in the various member states, including Ireland. Obviously, in light of what is at stake here, we will have a facility for knowing about every step of the discussions as they take place. The European Council will make those decisions.

At the moment, a lorryload of machinery can leave Clare and go to Dublin or Rosslare before travelling through Britain and on to the EU's border with Ukraine without anything other than invoices being needed. It is clear that if and when Britain leaves the EU and becomes a completely independent sovereign country, having implemented legislation that removes any EU jurisdiction on it, paperwork or a different kind of approval might well be needed if Irish cargo is to be able to travel through Britain. This would cost time and money and would have obvious implications for jobs. That is why the common travel area, which the British and Irish Governments want to retain, is so important for us here. It is in that context that we will have to see what issues Britain is talking about and will present.

I do not have enough time during this Question Time to deal with many of the implications of this long and complicated subject, as raised by Deputy Smith. We will have ample opportunity to discuss it in the House in the future. I will also have opportunities to brief party leaders about what is going on. I would like to think that by November, when we get to the North-South Ministerial Council, we will have a much clearer fix on where the horizon is and what we need to do in respect of Northern Ireland, the cross-border links and the economic trade. We have been talking to Enterprise Ireland about the hundreds of thousands of small businesses here that are being affected by the sterling currency fluctuations, which are causing concern. We will have to talk to Europe about the implications of that.

Source: <https://www.kildarestreet.com/debates/?id=2016-10-04a.193&s=cross-border#g198>