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Cross Border Studies

# MEDIA WATCH

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## A shared-space solution to Ireland's Brexit problem; A deal could allow free passage of people and goods but with rules on movement into and out of that space

A hard Brexit spells trouble for life on both sides of the Irish Border and our only hope, as all seem to agree, is to establish a special relationship with mainland Britain and the continental EU.

But what relationship should we seek? If only for the sake of further discussion, and without exploring difficulties of detail (where the devil surely lurks), I would like to propose a shared-space model.

The idea would be to allow a free passage of people and goods between both parts of the island but to introduce strict rules governing movement into and out of that space. Rules for entry and exit, which might be by air or sea or even cyberspace, would vary depending on whether the point of departure or destination was in mainland Britain, the continental EU, or a country elsewhere.

The rules governing the entry of people and goods from mainland Britain or the continental EU, whether to the North or South of Ireland, would prohibit immigration restrictions or commercial tariffs. They would ensure that the island was a shared space, equally accessible from both areas.

The rules for entry from elsewhere, however, would not be similarly inclusive; and this, even if entry to the North was via the EU, entry to the South via Britain. People and goods entering the North from elsewhere would be subject to the constraints that obtain for entry to Britain. And people and goods entering the South from elsewhere would be subject to the entry constraints of the EU.

The rules governing exit would have to be more complex, varying with the country to which people were travelling or goods were being exported. Depending on destination, different rules and different constraints would apply. All three destinations would check travellers and exports exiting from anywhere on the island. But for each destination, there would be a set of cases where restrictions and tariffs were ruled out.

The British mainland would not impose any immigration or import constraints in the case of people or goods returning to the mainland, originating in the North, or gaining entry from elsewhere (under British rules) to the North. Equally, the continental EU would not impose any constraints on people or goods returning to the continent, originating in the South, or gaining entry from elsewhere (under EU rules) to the South. And either of these areas would allow people or goods in transit to the other domain to pass through without constraint.

#### Different constraints

Except in the case of people or goods returning there, however, any country elsewhere would be likely to impose immigration and import constraints. But the constraints it imposed would reflect its independent treaties with Britain in the case of the North, with the EU in the case of the South. Different treaties and different constraints would be relevant, depending on whether the people or goods seeking exit originated in the North or the South, or had entered North or South from elsewhere.

But would it be feasible, as these rules require, to determine the origin of people and goods that move freely within the shared Irish space? Yes, it would. As currently required, people would need to meet passport constraints in order to leave the island, whether for Britain, other EU countries, or elsewhere. And goods would need to meet parallel constraints in order to be exported.

#### Passports for goods

Those constraints would require passports for goods: in effect, a record of their history of production in the case of commodities or, in the case of services, a record of their provenance. However difficult in practice, such records could be provided with the help of barcodes and other digitally encoded pedigrees.

The shared-space arrangement ought to be economically appealing, although it would leave tariffs in place for goods exported from the South to the British mainland. Ireland would belong at once to two free-trade areas, and would be able to import the best bargains on offer. The North would be able to export without tariffs to the British mainland, the South to the EU. And, in exporting to countries elsewhere, each would benefit from the free-trade deals that its own affiliate area, Britain or the EU, had negotiated.

This economic benefit would help Irish consumers across the board but, absent negotiated exceptions, it would put competitive pressure on Irish producers in the home market, particularly in agriculture. This cost ought to be bearable, however, since the producers in each part of Ireland would still be able to find a favourable export market in its own domain: mainland Britain or the continental EU.

The social and political benefits of the shared-space arrangement are particularly striking. The Border would remain as invisible as it is today, avoiding the political and policing costs of a hard divide, and allowing the free movement of people and goods from one side to the other. The arrangement would enable the people of Ireland to enjoy a shared civil and commercial life, while preserving their current political identities.

## Past commitments

Given the relatively small size of Ireland, allowing it to share in both free-trade areas ought not to impose a major cost on Britain or the EU. And both Britain and the EU have been so invested in the Good Friday agreement, and developments since then, that they might be reasonably challenged to keep faith with their past commitments by supporting a shared-space model.

In any case, the model ought to be independently appealing for Britain and the EU. It would be an economic disaster in their books, as well as in ours, to restore the Border and try to maintain a divide between two major free-trade areas along its winding, uncertain route. Making Ireland into a shared space, or doing something along those lines, would be a win-win for all.

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**Source:** The Irish Times

**March 29 2017**

**PM finally triggers Brexit and we face a long, hot summer of discontent;**

**Our current domestic impasse in Northern Ireland is as much to do with leaving the EU as anything else, writes Tom Kelly.**

On March 29, 1673, the-then English Parliament introduced the Test Act, penalising Catholics and non-conformists alike.

The impact of the Act was far-reaching and led to deep divisions in society. The Act was not repealed for more than 150 years.

The greatest impact was felt in Scotland and Ireland. This morning, another parliament dominated with English interests will start the process of something that will be equally devastating for societal cohesion as the Test Act and its political fallout may last just as long, too.

The long-anticipated triggering of Article 50 by the Tory Prime Minister Theresa May to leave the European Union sets a course for the future of the United Kingdom which will be irreversible. Mrs May's almost Damascene conversion to the cause of Brexit seems to befit her clerical upbringing. The cause of Brexit long campaigned for by ideological zealots, romantic imperialists and little Englanders is about to come into being as the British Government plan - if that's what you could call it - for negotiations looks as if it came directly from the handbook of a Kamikaze pilot.

Belatedly, the British Labour Party appears to have awoken from its self-induced coma, but frankly its efforts are a case of too little, too late.

Its six tests so ably argued by Sir Keir Starmer, which he claims must be passed before supporting any eventual Brexit, are the very arguments Labour should have been making more forcibly during the

referendum campaign. Lukewarm doesn't even come close to describing the Corbyn/McDonnell junta approach to the debate. If British workers, women and disabled lose hard-won rights following Brexit, then the Labour leadership are equally culpable as bungling Boris.

Mr Corbyn shares complete responsibility for the calamitous nature of the Brexit process along with Mrs May's Government. His lacklustre and ambivalent approach to the referendum and his subsequent lamentable leadership of the Opposition has meant that even the trio of Brexit stooges in the shape of Johnson, Davis and Fox are able to escape scrutiny with considerable ease.

For all the commentary and British bulldog rhetoric, Brexit is not about the shared interests of the United Kingdom.

It is, as it always has been, about the narrow interests of a small group of wealthy individuals and select media outlets that piggy-backed and exploited legitimate concerns about immigration and turned the referendum into something it was never intended to be about.

Instead of facing up to the failed domestic policies of a Conservative Government that has left the UK hopelessly divided, politically, socially, ethnically and economically, they turned the EU and immigrants into bogeymen. The nonsense about membership of the EU being driven by elitist liberals was nonsense, as the Electoral Commission funding reports show that the Leave campaign out-spent the Remain side.

Naturally, some unionists flocked to the Leave banner like lemmings on a cliff-top. One went as far as to say it didn't matter what the cost of leaving the EU was as long as we left. That's some statement, because it meant no matter what the cost to farmers, to food producers, to manufacturers, for job-creation, or for the voluntary sector, better to crash and burn in the forlorn hope that it somehow perversely made the place more British.

Interests that are not our interests are now pushing the Brexit policy triggered by this particular British Government.

The Tories have one solitary MP in Scotland and a derisory less than 1% of the vote here in Northern Ireland. Theresa May now tries to cover up the divisions within the United Kingdom using regional photocalls as a fig leaf for meaningful engagement. Of course, our position in any forthcoming Brexit negotiations is substantially weakened by the failure of Sinn Fein and the DUP to create an Executive earlier this week and matters are compounded by the fact that this British Government has little to no empathy for Northern Ireland on its front benches. This is a government suckled on a bygone British way of life informed by Enid Blyton, Bertie Wooster, Enoch Powell and Brideshead Revisited.

The strong regional characters that once played leading roles in their respective Cabinets rooted previous Labour and, indeed, Tory governments with an understanding of what makes the United Kingdom tick and, indeed, stick.

Where are today's big political beasts on either front bench, like John Reid, Roy Hattersley and John Prescott, or Chris Patten, Michael Portillo, Ken Clarke and Michael Heseltine?

Here in Northern Ireland, we are more isolated than ever before. Thanks to English interests, we have been set on a journey without a map. Only the remnants of the Good Friday Agreement may yet save us, as the EU bought heavily into our peace settlement.

The EU pumps hundreds of millions into the border regions and that funding is not so easily replaced. Already, the agri-food sector is beginning to realise that and the so-called "shared interests" of the UK are in meltdown as the regions, like various industrial sectors, slowly discover that the Tory elite interest is even more "Me Fein" than Sinn Fein's agenda.

The Irish government has a unique role to play going forward in that - they and not the British will know the willingness of the other EU countries to regard Northern Ireland's status as somewhat unique. Remember: our troubles reached Germany, Holland and Spain, so EU politicians will not forget that easily.

As for the border - despite the wishful thinking and contorted explanations from British ministers that it can be business as usual, the border is coming back and it's just a matter of where and how.

Instinctively, common sense would say it would be incompetent to have physical structures re-established at Newry, Derry and Strabane, but it's hard to see how one is avoided.

More likely is the prospect that borders will be around Ireland than within Ireland as those carry less political risk - though unionists carrying their passports to travel within the UK may have some indigestion.

To those that say Brexit is Brexit, so just get on with it - or, in the case of the local Tories, with their mandate of a mere 0.4% of the Northern Ireland electorate, whose representative said, "Just suck it up" - I say quite bluntly: devolution meant gaining control of one's own affairs, particularly those that impact greatest on everyday life; we won't give up on that so easily.

To now expect the people of Northern Ireland to reject their democratically arrived at decision to remain in the European Union and to surrender or subsume it for the benefit of some kind of heroic self-defeating exercise like the Charge of the Light Brigade, on behalf of a section of society that does not share our best interests, is very typical of John Bull-type bombast.

The EU, too, is going to have to show some creativity when it comes to Northern Ireland and it's not as if they don't have bespoke agreements and side-deals across the EU.

The European ideal was originally conceived on a notion based on securing lasting peace between former warring European countries and it would be a betrayal of its founders' idealism if current EU leaders sacrificed the resolution of one of Europe's oldest conflicts - that of England and Ireland - for some kind of political revenge for Brexit.

Economically speaking, there is no good Brexit deal for Ireland - north or south - that delivers in the terms that the Tory Government is now pursuing.

Politically speaking, our current domestic impasse is as much to do with estrangement over Brexit as anything else.

So, it looks like it's going to be a politically hot summer, followed by a very prolonged period of cold interludes.

Dr Tom Kelly is chair of the Stronger In Europe campaign in Northern Ireland

**Source:** The Belfast Telegraph

**March 30 2017**

## Brexit could wipe out towns along Irish border, MP told;

Brexit could "wipe out" towns and villages along the Irish border, a parliamentary committee has heard.

Niamh Smyth, a TD for Cavan and Monaghan, said unrestricted cross-border trade was critical to the recently improved fortunes of the once badly-deprived region. Pointing out the reliance on the dominant agri-food industry in particular, she said many dairies and food businesses operated as if no border existed.

'If there are customs points and big queues, people just won't bother coming here'

"As we know, various stages of production happen on both sides of the border, there are gallons and gallons of milk going from one side to the other, and as it stands at the moment you wouldn't even know you are crossing the border," she said.

"If that were to change, to become a very visible, tangible, hard border, who knows what that would mean for these industries... it could wipe out a constituency, it could wipe out the whole border region."

Ms Smyth told Dublin's Arts, Heritage, Regional, Rural and Gaeltacht Affairs Committee, that it was "soul destroying" to contemplate the border region returning to the dark days of the Troubles-era checkpoints and a hard frontier.

"We have come so far, it is unrecognisable going back to when I was a child," she told the committee, investigating the impact of Brexit on the region.

"Nobody lived in these towns, never mind worked in them, because there was no purpose to them, there was nothing to keep us there.

"They really are only getting on their feet. There is still a long way to go in certain towns and villages and this could just wipe us out."

Ms Smyth added: "There has to be a special case made for the border."

JJ O'Hara, a tourism official from the Republic who is in the Border Communities Against Brexit organisation, told the committee the reality was that a renewed hard border will "bring trouble". Any UK-EU frontier border should be "in the Irish Sea and not in Ireland", he said.

Mr O'Hara added: "The reality is that we are a very small island and to be cut in two is not an option."

John Sheridan, a farmer in Northern Ireland who is also part of Border Communities Against Brexit, warned against Brexit negotiations being allowed to "ruin" Ireland.

"I really believe, and I have lived on the border all my life and spent probably as much time in the south as I lived in the north, that it would be a shame to let Brexit, which is triggered today, ruin this country," he said.

Separately, Ireland's Small Firms Association (SFA) has told businesses to "prepare for the worst".

Sue O'Neill, SFA chairwoman, said: "Issues affecting the border and businesses who operate close to the border must be given the attention and sensitivity that they deserve."

**Source:** Belfast Telegraph