



The Centre for
Cross Border Studies

Brexit and the UK-Ireland Border

Briefing Paper series

Briefing Paper 3 Executive Summary: Changing Trade Relations and Regulations

Executive Summary

- The future trade relationship between the EU and the UK will have critical impact on the border between Northern Ireland and the Republic of Ireland as the only UK-EU land border.
- The UK-Ireland border of today is open and invisible largely because of the intertwining of EU economic integration and the Belfast (Good Friday) Agreement, itself boosted by Union law.
- If, as part of the UK, Northern Ireland does leave the European Single Market (SM) and Customs Union (CU) then new obstacles to trade across the border will be unavoidable. Under such circumstances direct and non-direct barriers to trade will re-emerge and result in an effective economic border, no matter if border checks on goods are performed at the physical borderline or out of sight.
- An economic border will be directly damaging to the all-island economy and North-South cooperation, and undermine political relationships on the island and between this island and Great Britain.
- The UK has committed to avoiding a 'hard' border on this island. However, a 'hard' border is a relative term and there is no absolute standard of 'border hardness' against which to judge the fulfillment of guarantees to avoid it. What may be 'hard' for some could be seen as otherwise for others.
- It is therefore important to understand not whether the future border will be 'hard' or 'soft' but how precisely it will deviate from the present status quo, by what legal means, and with what effects on trade, border checks and costs.
- None of the proposals in the Joint Report on the EU-UK negotiations of December 8th 2017 for avoiding a 'hard' border offers a clear way of achieving this if the UK and Northern Ireland leave the SM and the CU.
- In all cases and scenarios proposed it remains difficult to see how a customs border and checks on the movement of goods can be avoided simultaneously on land and sea.
- A customs border requires physical infrastructure. It can be made more efficient but cannot be entirely avoided by electronic means. Electronic borders cannot substitute for the ease of trade that the CU and SM currently provide for.