



Library Note

Leaving the European Union: The UK and Ireland

There has been speculation about the impact of the UK leaving the European Union on Northern Ireland, in particular in terms of peace and security, and trade. Questions raised include whether the peace process will survive, whether cross-border peace programmes will remain and whether border controls will need to change. For example, according to Northern Ireland's former Deputy First Minister, Martin McGuinness, leaving the EU "will undermine all-Ireland bodies and cooperation created by the peace process and it will harden partition". Others dispute this, arguing that there will be little or no impact. This view has been expressed, for example, by the House of Commons Northern Ireland Affairs Committee, who observed before the referendum that "the peace process has ultimately been successful because of the commitment of successive UK and Irish governments and the willingness of politicians and the communities they represent to put aside past differences sufficiently to allow Northern Ireland to be governed peacefully". However, during the passage of the European Union (Notification of Withdrawal) Bill in both Houses, concerns were raised regarding the impact that leaving the EU would have on the peace process. This included a number of amendments that sought to take account of the Good Friday Agreement when triggering Article 50 and ensuring that borders between the UK and Ireland remained open once the UK formally withdraws from the EU.

In terms of trading in both goods and services between the UK and Ireland, the Office for National Statistics reported that 5 percent of the UK's exports in 2014 went to Ireland, worth £28 billion, whilst 3 percent of the UK's imports came from Ireland, worth £17 billion. Some commentators and organisations, such as IBEC, which represents businesses in Ireland, have argued that the decision to leave the EU "could seriously disrupt trade between Northern Ireland and the Republic, and deeply damage UK-Irish economic relations". Supporting this view, the House of Lords European Union Committee warned that evidence suggested that "the risks to the Northern Ireland economy posed by Brexit probably outweigh the opportunities". Others including the former First Minister of Northern Ireland, Arlene Foster, disagree. Mrs Foster has argued that "there is no evidence to support the case that either Scotland or Northern Ireland should stay in the EU for the sake of trade with the rest of the EU".

This briefing provides background to two key areas identified as being potentially affected by the UK's withdrawal from the EU. The first area is peace and security, which encompasses the peace process signed following the 30-year conflict in Northern Ireland, border controls and the Common Travel Area. The second area is trade, particularly the bilateral trade relationship between UK and Ireland. This briefing examines the current peace and security, and trade situation, and discusses the potential implications of the UK leaving the EU, drawing upon commentary from UK and Irish heads of governments, political parties, think tanks and organisations.

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I. Peace and Security

In order to examine any potential implications of the UK leaving the EU for peace and security in Northern Ireland, this briefing provides an overview of the security situation in Northern Ireland between 1968 and 1998 and the subsequent peace process, covering the period between the start of ‘the Troubles’ and the Belfast Agreement (also known as the Good Friday Agreement). It then discusses the future of the peace process and cross-border peace programmes; the possibility of a return to border controls; and whether the Common Travel Area will remain.

I.1 Background

‘The Troubles’ and the Belfast Agreement

‘The Troubles’ is the term commonly used to refer to the period of violence in Northern Ireland that began in the late 1960s and ended with the Belfast Agreement, which was signed on 10 April 1998 by the UK and Irish governments, and by the majority of Northern Irish political parties.¹ The Belfast Agreement explicitly reaffirmed the signatories’ “total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues”.² The Agreement included a framework for the establishment of key political institutions, including the Northern Ireland Executive and the Northern Ireland Assembly, set up so that the elected political parties could share power; the North South Ministerial Council, created to “develop cooperation between both parts of Ireland”; and the British-Irish Council, which sought to “promote the relationship between Ireland and Britain”.³ In May 1998, the Agreement was approved in referendums in both parts of Ireland.⁴ The signing of the Belfast Agreement changed the scale of the border controls from a ‘hard’ border most apparent during the Troubles, to a ‘soft’ border.

Border Controls 1968–98 and Today

During the Troubles, the British military closed many roads along the Irish-Northern Irish border, establishing checkpoints and watch towers. Researchers at the [Irish Borderlands Project](#) spent three years exploring the Irish-Northern Irish border—from the creation of the border in the 1920s to the project’s completion in 2008—and the effect of the ‘hard’ border on people’s lives.⁵ They observed that as the Troubles escalated in the 1970s, the border became subject to a systematic attempt to make it impossible to cross it by road except at approved routes where army and police checkpoints were installed near the border in Northern Ireland.⁶ In addition, they noted that all roads, other than ones approved by the army, were made impassable by the British army and security forces, with craters dug into the road, concrete blocks installed and bridges blown up that crossed the border. Such checks were imposed and actions taken in order to “restrict the movement of paramilitaries into Northern Ireland from the border counties of the south and to prevent the easy escape of paramilitaries across the

¹ For more information about this period see: Jonathan Tonge, *Northern Ireland: Conflict and Change*, 2002, 2nd ed.

² Northern Ireland Office, ‘[The Belfast Agreement](#)’, 10 April 1998.

³ Ireland’s Department of Foreign Affairs and Trade, ‘[The Good Friday Agreement and Today](#)’, accessed 7 March 2017.

⁴ *ibid.*

⁵ Irish Borderlands Project, ‘[Road Closures and Checkpoints](#)’, accessed 7 March 2017. The Irish Borderlands Project was jointly led by Professor Brian Graham (University of Ulster) and Professor Catherine Nash (Queen Mary University of London), and was funded by the [Arts and Humanities Research Council](#).

⁶ Irish Borderlands Project, ‘[Road Closures and Checkpoints](#)’, accessed 7 March 2017.

border into Ireland”.⁷ This, in turn, meant that “life along the border was shaped by the army and paramilitary violence”, with the researchers noting that areas along the border “experienced the greatest number of bombings, deaths and injuries [in Northern Ireland] apart from parts of Belfast”, with attempts to “seal the border” dependent on “a very heavy military presence”.⁸

Since the signing of the Belfast Agreement, there has been a ‘soft’ border in place along the Irish-Northern Irish border, with many features of the border during the Troubles having now disappeared. This includes previously closed border roads reopening and military checkpoints now removed.⁹ Citizens of the UK and Ireland are able to travel between the two countries freely.

Common Travel Area

The Common Travel Area (CTA) is an open borders travel zone between Ireland and the United Kingdom—including the Channel Islands and the Isle of Man—and has been in operation since the 1920s. At present, Irish and UK citizens can travel freely within countries in the CTA, with citizens not requiring passports in order to enter the area.¹⁰ As part of the CTA, the UK and Ireland also cooperate on matters relating to immigration, however, Ireland reserves the right to check people coming into the country. For example, the Irish Citizens Information Board notes that immigration officers in Ireland possess powers to carry out checks on people arriving to the country from the UK and if necessary, refuse them entry “on the same grounds as apply to people arriving from outside the Common Travel Area”.¹¹

The CTA is not provided for in either UK or Irish legislation. However, it is referenced in both domestic legislation and bilateral agreements between the two countries.¹² On 20 December 2011, the Irish and UK governments signed an agreement reinforcing their commitment to the CTA and agreed measures to crack down on illegal immigration, such as exchanging biometric and biographical details “as part of the visa issuing process”.¹³

1.2 Potential Impact

Following the UK referendum outcome, there has been speculation as to the impact that leaving the EU could have on the future of peace and security in Northern Ireland. For some, the implications include a danger of the peace process unravelling, the cessation of cross-border peace programmes and a return to the ‘hard’ border that featured so prominently during the Troubles. In contrast, others have suggested that there will be little or no impact. This section examines some of these perspectives.

⁷ Irish Borderlands Project, ‘[Road Closures and Checkpoints](#)’, accessed 7 March 2017.

⁸ Irish Borderlands Project, ‘[The Troubles and Borderland Life](#)’, accessed 7 March 2017.

⁹ Irish Borderlands Project, ‘[Living with the Border Today](#)’, accessed 7 March 2017.

¹⁰ Citizens Information Board, ‘[Common Travel Area between Ireland and the United Kingdom](#)’, accessed 7 March 2017.

¹¹ *ibid.*

¹² Institute of International and European Affairs, ‘[What Would Happen to the Northern Irish Border in the Event of Brexit?](#)’, 22 June 2016.

¹³ Irish Naturalisation and Immigration Service, ‘[Ireland-UK Accord to Further Secure the Common Travel Area](#)’, 20 December 2011.

Peace Process and Cross-Border Peace Programmes

Prior to the referendum, Dagmar Schiek, Professor of Law at Queen's University Belfast, examined the role of the EU in the Northern Ireland peace process. Writing for the University's Public Policy blog, Professor Schiek noted that the Belfast Agreement "in its specific sections, partly makes reference to the shared EU membership of both partners", and that as a result, "if the UK chooses not to remain bound by EU law after withdrawing from the EU, these agreements would have to be renegotiated".¹⁴ She argued that this "would not be a matter for the UK and Ireland alone" and that "in the immediate aftermath of an announcement by the UK to withdraw from the EU [...] the EU would, in the first place, negotiate the conditions of the UK's future relation to the remainder of the EU [in accordance with Article 50]". Professor Schiek further suggested that under Article 50, Ireland "would be barred from entering into negotiations on bilateral relationships with the UK about the overhaul of the Belfast Agreement immediately after the UK has declared its intention of withdrawal".¹⁵

In terms of cross-border peace programmes, Professor Schiek also noted that "EU funding has supported the various stages of the peace process".¹⁶ The European Parliament report that since 1995, there have been four cross-border peace programmes, with a financial contribution of €1.5 billion.¹⁷ However, Professor Schiek warned that were the UK to decide to leave the EU, "the prospect of discontinuing these programmes would be a concern for continuing the peace process".¹⁸ She concluded that, as a result, "the UK's withdrawal from the EU would add to the considerable hurdles to be overcome for driving forward the peace process".¹⁹

Similarly, writing in the *Royal United Service Institute Journal* ahead of the referendum, Dr Edward Burke, Lecturer in Strategic Studies at Portsmouth University, agreed that there could be an impact on funding programmes for peace in Northern Ireland were the UK to leave the EU. Dr Burke contended that "much of Northern Ireland's 'peace dividend' has come from the EU" through specialised programmes and funding "designed to reinforce the peace process".²⁰ He also argued that leaving the EU could leave Northern Ireland "re-emerging as a major political, security and economic crisis for future governments in London", and that it "will be severely exposed to any potential fallout from a vote to quit the EU".²¹

The former Deputy First Minister, Martin McGuinness, also expressed his worry for the future of peace and security in Northern Ireland following the referendum result. In an article in the *Irish Times*, Mr McGuinness wrote that:

The Good Friday (or Belfast) Agreement, as it became known, was endorsed by 94 percent of the voters in the Republic and 71 percent in the North. [...] Brexit will undermine all-Ireland bodies and cooperation created by the peace process and it will

¹⁴ Professor Dagmar Schiek, '[What Does the 23 June Mean for Northern Ireland Specifically? Legal Perspectives Number 2: Peace](#)', Queen's University Belfast Public Policy Blog, 7 June 2016.

¹⁵ *ibid.*

¹⁶ *ibid.*

¹⁷ European Parliament, '[Northern Ireland PEACE Programme](#)', accessed 7 March 2017.

¹⁸ Professor Dagmar Schiek, '[What Does the 23 June Mean for Northern Ireland Specifically? Legal Perspectives Number 2: Peace](#)', Queen's University Belfast Public Policy Blog, 7 June 2016.

¹⁹ *ibid.*

²⁰ Dr Edward Burke, '[Who Will Speak for Northern Ireland? The Looming Danger of an Ulster Brexit](#)', *Royal United Service Institute Journal*, 28 April 2016.

²¹ *ibid.*

harden partition. It will have consequences for human rights legislation which, again, is specifically referred to in the Belfast and subsequent agreements.²²

George Mitchell, a former US Senator who helped broker the Good Friday Agreement, also warned that withdrawing from the EU could affect relations between the UK and Ireland, and in turn, destabilise the peace process. He stated:

I believe that the European Union was an important factor that led the United Kingdom and Ireland to cooperate in establishing a process that led to the Good Friday Agreement. And I think the UK being out of the European Union may reduce the prospects for further cooperation [...] We recognised at the time [...] that by itself, the Agreement did not ensure peace or prosperity or reconciliation, it made them possible.²³

In its May 2016 report, the House of Commons Northern Ireland Affairs Committee examined the possible implications of the referendum on Northern Ireland. In contrast to the viewpoint that peace and security could be affected, the Committee suggested that were the UK to leave the EU it would not have a negative effect on the peace process. It reported that:

The peace process has ultimately been successful because of the commitment of successive UK and Irish governments and the willingness of politicians and the communities they represent to put aside past differences sufficiently to allow Northern Ireland to be governed peacefully. It is clear that the relationships that both the Northern Ireland Executive and the UK Government have with the Irish Government continue to be very strong, and we expect that would continue to be the case regardless of the outcome of the referendum.²⁴

Further, in its report on UK-Irish relations once the UK leaves the EU, published in December 2016, the House of Lords European Union Committee contended that “it would be irresponsible to overstate the threat posed by Brexit” to the peace process.²⁵ However, the Committee warned that the decision to leave the EU was “already proving politically divisive”, and as a result, “all sides must remain vigilant to ensure that the momentum behind the peace process is maintained”.²⁶

On 26 July 2016, the Prime Minister, Theresa May, met the Irish Prime Minister, Enda Kenny, in Downing Street, to discuss UK-Irish relations following the referendum. In their subsequent press conference, Mrs May said with regard to peace and security:

We are both fully committed to working together in support of the Northern Ireland Executive to build a better, stronger, safer future for the people of Northern Ireland. Indeed, it is vital that that we keep up the momentum on tackling paramilitary groups and building a shared future. And today we have reaffirmed our commitment to

²² Martin McGuinness, ‘[Remain Must Mean Remain: Why We Need an All-Ireland Response to Brexit](#)’, *Irish Times*, 19 August 2016.

²³ Noel McAdam, ‘[Brexit Could Destabilise the Peace Process, Warns Mitchell](#)’, *Belfast Telegraph*, 27 February 2017.

²⁴ House of Commons Northern Ireland Affairs Committee, [Northern Ireland and the EU Referendum](#), 26 May 2016, HC 48 of session 2016–17, p 29, para 86.

²⁵ House of Lords European Union Committee, [Brexit: UK-Irish Relations](#), 12 December 2016, HL Paper 76 of session 2016–17, p 44, para 183.

²⁶ *ibid.*

establishing a new Independent Reporting Commission by the end of this year, which will support these efforts.²⁷

Mrs May's view was affirmed by Mr Kenny, who said the meeting:

[...] did repeat and reiterate the importance of the partnership between our two governments as co-guarantors of the Good Friday Agreement, and in supporting the peace process, and in contributing to stability and continued progress in Northern Ireland.²⁸

Provision for the Independent Reporting Commission—to be established by agreement between the UK and Irish governments—was included in the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016. The agreement was signed on 13 September 2016. According to the Secretary of State for Northern Ireland, James Brokenshire, the role of the Commission is to report on progress towards ending paramilitary activity connected with Northern Ireland and “provide assessments of the implementation of the relevant measures of the UK Government, the Government of Ireland and the Northern Ireland Executive”.²⁹

Despite this, in February 2017, Mr Kenny called on the EU to include measures in the final Brexit agreement with the UK to allow “ease of access” for Northern Ireland to join the EU, should Ireland reunify under the Good Friday Agreement. Under the Agreement, the Secretary of State for Northern Ireland can call a unification poll if they think that people in Northern Ireland will likely vote to change the current arrangements. Following a meeting with the President of the European Commission, Jean-Claude Juncker, the Irish Prime Minister stated that:

We want that language inserted into the negotiated treaty, the negotiated outcome, whenever that might occur [...] That's already inherent in the Good Friday Agreement. So, therefore, in protecting that, and in being able to implement it, we want that language incorporated into the (Brexit) agreement that will eventually emerge.³⁰

A Return to Border Controls?

Prior to the referendum, the House of Commons Northern Ireland Affairs Committee warned that were the UK leave to the EU, it was vital that the ‘soft’ border between Ireland and the UK remained:

Imposing security checks for those travelling between parts of the UK would [...] be highly undesirable. In the event of a Brexit, an arrangement that maintains a soft land border between Northern Ireland and the Republic [...] would need to be a priority.³¹

²⁷ Prime Minister's Office, '[PM and Taoiseach Enda Kenny Statements](#)', 26 July 2016.

²⁸ Prime Minister's Office, '[PM and Taoiseach Enda Kenny Statements](#)', 26 July 2016.

²⁹ House of Commons, '[Written Statement: Independent Reporting Commission](#)', 14 September 2016, HCWS148.

³⁰ Arthur Beesley, '[Enda Kenny Calls for United Ireland Clause in Brexit Deal](#)', *Financial Times* (£), 23 February 2017.

³¹ House of Commons Northern Ireland Affairs Committee, '[Northern Ireland and the EU Referendum](#)', 26 May 2016, HC 48 of session 2016–17, p 28, para 80.

In July 2016, the then Deputy First Minister, Martin McGuinness, expressed his concern that the border could change, and the wider implications that it could have on peace and security. He said:

Anything that resembled a return to border checkpoints would represent a grievous undermining of the Good Friday Agreement.³²

The Ulster Unionist Party has also stated its opposition to any return to ‘hard’ borders and has previously called on both the Northern Ireland Executive and UK Government to “confirm that Northern Ireland’s citizens will not face a hard border at Great Britain’s ports and airports” once the UK leaves the EU.³³ They also argued that “given the commitment from both the British and Irish governments to maintaining the Common Travel Area in the post-Brexit environment, there is a valid concern that Northern Ireland’s citizens could face a security regime similar to that applied during the worst of the Troubles when travelling to England, Scotland or Wales”.³⁴

The issue of peace and security in Northern Ireland has also been raised in Parliament. During the House of Commons committee stage on the European Union (Notification of Withdrawal) Bill on 6 February, the Social Democratic and Labour Party tabled an amendment relating to the creation of a statutory requirement to take account of the Good Friday Agreement when triggering Article 50. The amendment sought to change clause 1(2) of the Bill which specified that the Prime Minister would have the power to invoke Article 50 “despite any provision made by [...] any other enactment”. However, the amendment was defeated by 327 votes to 288, a majority of 39.³⁵

At the same stage of the Bill during its passage through the House of Lords, the former Secretary of State for Northern Ireland, Lord Hain (Labour), also expressed his worry that leaving the EU could have a negative effect on peace and security. Consequently, he tabled an amendment—which was later withdrawn—calling on the Government to support the maintenance of an open border between Northern Ireland and the Republic of Ireland. Introducing his amendment, Lord Hain told the House that:

The settlement in Northern Ireland is built on the delicate balance of the three strands of the Good Friday Agreement: relationships within Northern Ireland, between Belfast and Dublin and between Dublin and London. Brexit will test each of these relationships and, if the Government pursue a hard Brexit, they could do profound damage to all three.³⁶

In January 2017, the chair of the Police Federation of Northern Ireland, Mark Lindsay, warned that any plan to install customs posts or immigration controls along the UK-Irish border would be “a propaganda gift” for groups opposed to the peace process.³⁷ Mr Lindsay also warned that police officers tasked with securing the border “would in effect become sitting ducks for the terrorists”.³⁸

³² BBC News, [‘Brexit: McGuinness ‘Cannot See How Common Travel Area Can Survive’](#), 22 July 2016.

³³ Ulster Unionist Party, [A Vision for Northern Ireland Outside the EU](#), September 2016.

³⁴ *ibid.*

³⁵ [HC Hansard, 8 February 2017, cols 546–51.](#)

³⁶ [HL Hansard, 27 February 2017, cols 590–9.](#)

³⁷ Henry McDonald, [‘Brexit Border ‘Would Make Sitting Ducks of Northern Ireland Police’](#), *Guardian*, 15 January 2017.

³⁸ *ibid.*

However, the heads of the governments of the UK and Ireland have insisted that they do not want to see a return to the border of the past. On 22 July 2016, representatives from the regional governments of the UK and Ireland convened at a meeting of the British-Irish Council in Cardiff to discuss the implications of leaving the European Union on the UK and Ireland. Following the meeting, the Irish Prime Minister, Enda Kenny, dismissed the idea of a 'hard' border returning to Ireland. In a press conference, Mr Kenny stated that the Irish Government "do[es] not want to see a European border internally on the island of Ireland" and that "there will not be a hard border from Dundalk to Derry".³⁹

On 25 July 2016, Northern Ireland's then First Minister, Arlene Foster, met the Prime Minister, Theresa May, in Belfast. After the meeting, Mrs Foster spoke to journalists about the nature of the talks with the Prime Minister. Mrs Foster said that "there must be no internal borders within the United Kingdom", and that the Prime Minister had "responded positively to that".⁴⁰

On 17 January 2017, Theresa May, made a speech at Lancaster House, outlining the Government's negotiating objectives for exiting the EU. In relation to the issue of border control in Northern Ireland, Mrs May stated that:

Nobody wants to return to the borders of the past, so we will make it a priority to deliver a practical solution as soon as we can.⁴¹

The Prime Minister's view was reaffirmed by the Secretary of State for Exiting the European Union, David Davis, who was asked in the House of Commons on 2 February 2017 for a guarantee that there would be no 'hard' border between the UK and Ireland. He responded, "we are not going to have hard borders".⁴²

The UK Government's view was also shared by Ireland's Prime Minister, Enda Kenny. In a speech to representatives from Northern Ireland and Ireland at the second All-Island Civic Dialogue in Dublin on 17 February 2017, Mr Kenny stated:

We must not return to a hard border or create a new border of the future. This is a political matter, not a legal or technical matter. It will have to be solved by political leadership with creativity, imagination and innovation.⁴³

Common Travel Area

The result of the referendum on the UK's membership of the European Union has led to some questioning the future of the Common Travel Area (CTA), in particular, whether the Irish-Northern Irish border could subsequently become the UK's external border with the EU.

In May 2016, the House of Commons Northern Ireland Affairs Committee noted that were the UK to vote to leave the EU it would arguably raise questions about the future status of the CTA.

³⁹ BBC News, ['Brexit: 'No Hard Irish Border', says Taoiseach Enda Kenny'](#), 22 July 2016.

⁴⁰ *ibid.*

⁴¹ Prime Minister's Office, ['The Government's Negotiating Objectives for Exiting the EU: PM Speech'](#), 17 January 2017.

⁴² [HC Hansard, 2 February 2017, cols 1216–31.](#)

⁴³ Department of the Taoiseach, ['Speech by the Taoiseach Mr. Enda Kenny TD at the Second Plenary Meeting of the All-Island Civic Dialogue on Brexit, Dublin Castle'](#), 17 February 2017.

The Committee reported that:

As the CTA is an agreement between two EU members and protected by EU Protocol (it is currently included in an annex to the Lisbon Treaty), it would no longer apply if the UK was outside the EU. Whilst the CTA predates British and Irish membership of the EU, it is not clear that its status in international law is sufficiently robust for it to bind EU members beyond their mutual obligations to each other in the event of a Brexit.⁴⁴

The think tank the Institute of International and European Affairs has also warned that the future of the CTA is not certain. On the day after the referendum, it reported that “there is no precedent for the UK and Ireland Common Travel Area to exist half-in and half-out of the EU and its continued existence may now be in doubt”.⁴⁵ As a result, any changes to the current arrangement could “have repercussions for migration, employment and social welfare”.⁴⁶ The Ulster Unionist Party has called on the Northern Ireland Executive and UK Government to “safeguard the Common Travel Area, to ensure Northern Ireland’s people retain the right to unfettered access to all areas of the island of Ireland”.⁴⁷ On 22 July 2016, the then Deputy First Minister, Martin McGuinness, expressed his concerns, saying “I don’t see how the Common Travel Area could survive the negotiations”.⁴⁸

Others have also argued that the future of the CTA will depend on negotiations between the UK and EU, once Article 50 is triggered. The UK in a Changing Europe, an initiative funded by the Economic and Social Research Council and based at King’s College London, has argued that “if a post-Brexit UK opts out of the free movement of people then the Irish border becomes the external border of the EU. This poses serious questions for the CTA with all the economic, political and social consequences that may entail”.⁴⁹

In contrast, heads of governments in the United Kingdom and Ireland have publicly stated their intentions to ensure that the CTA remains once the UK leaves the EU, with the UK Government noting that this could result in moving frontline immigration controls to Ireland. According to Northern Ireland’s then First Minister, Arlene Foster, “our focus is to strengthen the external border of the Common Travel Area, building on the strong collaboration with our Irish partners”.⁵⁰ Similarly, in January 2017, the Prime Minister, Theresa May, outlined the Government’s commitment to maintain the CTA:

We cannot forget that, as we leave, the United Kingdom will share a land border with the EU, and maintaining that Common Travel Area with the Republic of Ireland will be an important priority for the UK in the talks ahead. There has been a Common Travel Area between the UK and the Republic of Ireland for many years [...]

⁴⁴ House of Commons Northern Ireland Affairs Committee, [Northern Ireland and the EU Referendum](#), 26 May 2016, HC 48 of session 2016–17, p 27, para 74.

⁴⁵ Institute of International and European Affairs, [Brexit: What Does it Mean for Ireland?](#), 24 June 2016.

⁴⁶ *ibid.*

⁴⁷ Ulster Unionist Party, [A Vision for Northern Ireland Outside the EU](#), September 2016.

⁴⁸ BBC News, [Brexit: McGuinness ‘Cannot See How Common Travel Area Can Survive’](#), 22 July 2016.

⁴⁹ UK in a Changing Europe, [After the EU Referendum: Establishing the Best Outcome for Northern Ireland](#), 2 September 2016.

⁵⁰ BBC News, [Foster Supports Anglo-Irish Border Plan](#), 30 November 2016.

So we will work to deliver a practical solution that allows the maintenance of the Common Travel Area with the Republic, while protecting the integrity of the United Kingdom's immigration system.⁵¹

The Irish Prime Minister, Enda Kenny, has also announced his commitment to maintain the CTA in future, stating that the Irish Government would do its “utmost in upcoming discussions to maintain the Common Travel Area and minimise any possible disruptions to the flow of people, goods and services between these islands”.⁵²

Following the referendum outcome, the Irish Government published its [Contingency Framework](#) identifying key policy issues. Regarding the future of the CTA, the Irish Government stated that:

There is no immediate change to the Common Travel Area. People can still travel as normal between Ireland and the UK, including Northern Ireland. The Common Travel Area has been in existence since Irish Independence. It is an important feature of the close relationship between Ireland and the UK with long-established benefits for trade and tourism between our two countries. It operates across a range of areas including allowing for free movement between Ireland and the UK, and access to social welfare.

Both the Irish and British Government value the Common Travel Area and will work to keep this in place to the greatest extent possible as part of future arrangements. There is no desire to limit the freedom of people on both sides of the Irish Sea to live, work and travel freely across these islands.⁵³

The Irish Government also noted that the CTA has “only ever operated where both Ireland and the UK were either outside of the EU, or within it” and subsequently, would be a “key issue for Ireland in the context of negotiating new terms and conditions for the EU's relationship with the UK”.⁵⁴

UK Government ministers have stated that once the UK leaves the EU they might seek to move some UK immigration controls to Ireland. On 9 October 2016, the Secretary of State for Northern Ireland, James Brokenshire, told the *Guardian* that the Government would work to “strengthen the external border of the Common Travel Area” by moving frontline immigration controls to Ireland's ports and airports. He stated that “we are already working closely with the Irish Government and other members of the Common Travel Area to prevent people from seeking to evade UK immigration controls from entering via another part of the CTA”.⁵⁵ Mr Brokenshire also noted that there was a “high level of collaboration” between the UK and Irish governments on a joint programme of work including: investment in border procedures; increased data sharing to inform immigration and border security decisions; passenger data systems enabling the collection and processing of advance passenger information; and harmonised visa processes.⁵⁶

⁵¹ Prime Minister's Office, [‘The Government's Negotiating Objectives for Exiting the EU: PM Speech’](#), 17 January 2017.

⁵² BBC News, [‘EU Referendum: UK Vote on EU ‘Very Significant’ for Republic of Ireland’](#), 24 June 2016.

⁵³ Irish Government News Service, [‘Frequently Asked Questions’](#), accessed 10 March 2017.

⁵⁴ *ibid.*

⁵⁵ Henry McDonald, [‘Britain to Push Post-Brexit UK Immigration Controls Back to Irish Border’](#), *Guardian*, 9 October 2016.

⁵⁶ *ibid.*

The announcement was met with opposition from parties in Ireland. According to Fianna Fáil's foreign affairs spokesman, Darragh O'Brien, the proposal was "highly implausible" and "not grounded in any reality".⁵⁷ In addition, the Sinn Féin MEP Matt Carthy argued that the proposals were "unacceptable" and that the people of Ireland "need to see the Irish Government take up their responsibilities to the Irish people, north and south".⁵⁸ Similarly, the former Prime Minister of Ireland, Bertie Ahern, stated that he found the announcement "frankly unbelievable" and showed "a total lack of understanding of how people think north and south".⁵⁹

On 26 October 2016, the Irish Prime Minister, Enda Kenny told politicians in the Dáil that in contrast to Mr Brokenshire's comments, he was not aware of what the UK Government was planning in relation to border controls. Discussing the UK Government's future plans for when the UK leaves the EU, Mr Kenny asked "is it a hard Brexit exit from the customs union and the single market and control at their own borders, or is it something else?".⁶⁰

On 2 November 2016, Mr Kenny hosted an All-Island Civic Dialogue in Dublin. The Dialogue saw approximately 300 representatives from Northern Ireland and Ireland meet "to discuss the challenges posed by the UK's decision to leave the EU", such as the Common Travel Area and borders.⁶¹ However, the then First Minister of Northern Ireland, Arlene Foster, and party members from unionist parties in Northern Ireland declined an invitation to attend.⁶² Following the meeting, Mr Kenny reaffirmed the Irish Government's position that the Common Travel Area would continue once the UK leaves the EU. He stated that:

Neither I nor the [UK] Prime Minister desire to limit the freedom of people on both sides of the Irish Sea to trade, live, work and travel freely across these islands [...]
Therefore we have agreed that the benefits of the common travel area be preserved.⁶³

In February 2017, the UK Government published a white paper on the UK's exit from the EU and its new partnership. In the white paper, the UK Government stressed that "maintaining our strong and historic ties with Ireland will be an important priority for the UK in the talks ahead. This includes protecting the Common Travel Area (CTA)".⁶⁴

⁵⁷ John Manley, '[Cool Response to James Brokenshire's Plan to Shift Immigration Controls After Brexit](#)', *Irish News*, 11 October 2016.

⁵⁸ *ibid.*

⁵⁹ House of Lords European Union Committee, '[Corrected Oral Evidence: Brexit: UK-Irish Relations](#)', 25 October 2016, Q127.

⁶⁰ Daniel McConnell, '[Enda Kenny: No Brexit Deal on Use of Irish Ports as Border Control Points](#)', *Irish Examiner*, 26 October 2016.

⁶¹ Department of the Taoiseach, '[Taoiseach Hosts the All-Island Civic Dialogue on Brexit](#)' accessed 10 March 2017.

⁶² *Irish Examiner*, '[Taoiseach to Host All-Island Brexit Talks Minus the DUP](#)', 2 November 2016.

⁶³ Jessica Elgot and Henry McDonald, '[Irish PM Warns Brexit Talks between UK and EU Could Turn Vicious](#)', *Guardian*, 2 November 2016.

⁶⁴ Department for Exiting the European Union, '[The United Kingdom's Exit From and New Partnership with the European Union](#)', February 2017, Cm 9417, p 21.

2. Trade

2.1 Background

According to the HM Revenue and Customs Trade Statistics Unit, in 2015, the value of trade in exports to Ireland from the UK was £15.1 billion, whilst the value of trade in imports from Ireland to the UK was £11.2 billion.⁶⁵ The table below shows the value of trade in imported and exported goods since 1996.

Value of Goods Imports and Exports between the UK and the Republic of Ireland, 1996–2015

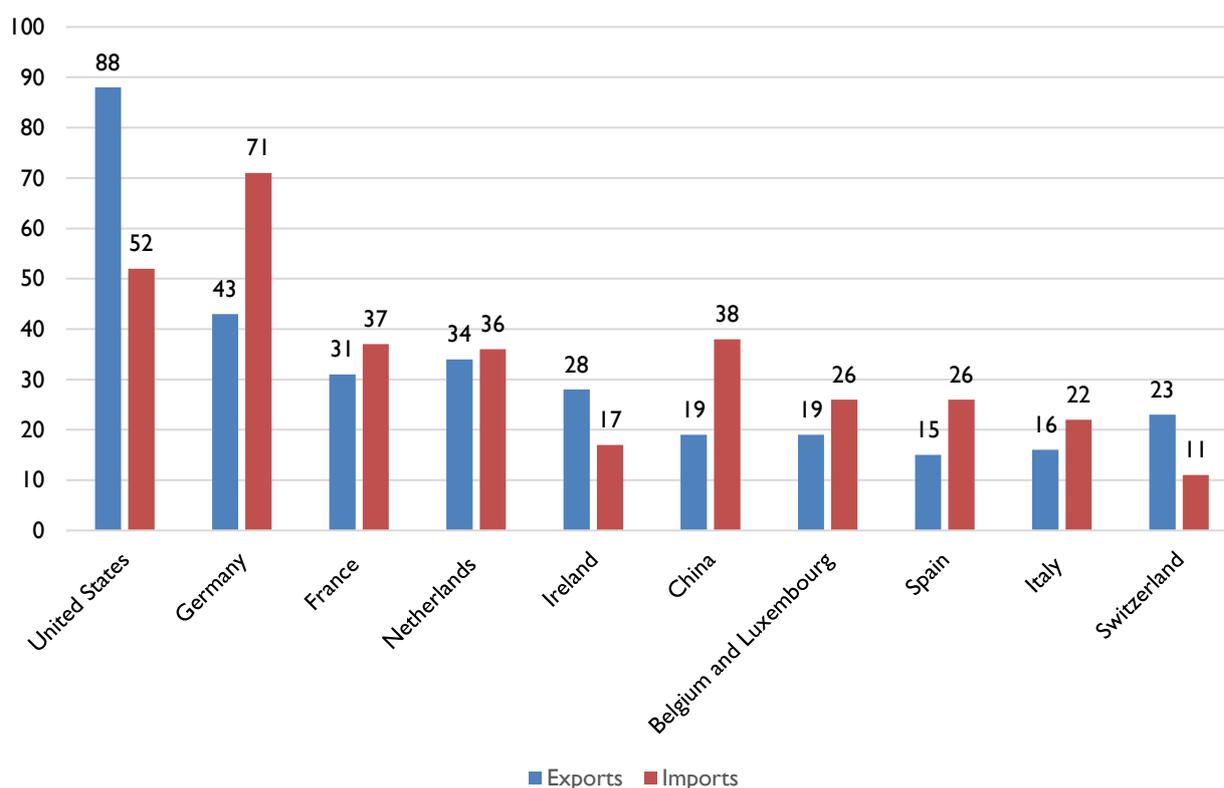
Year	Dispatch (Export to Ireland)—GBP	EURO Equivalent	Arrival (Imported from Ireland)—GBP	EURO Equivalent
2015	15.1 billion	19.9 billion	11.2 billion	14.7 billion
2014	17.8 billion	23.4 billion	11.7 billion	15.5 billion
2013	18.1 billion	23.9 billion	11.8 billion	15.6 billion
2012	16.8 billion	22.2 billion	12.7 billion	16.8 billion
2011	17.3 billion	22.8 billion	12.9 billion	17.1 billion
2010	16.3 billion	21.5 billion	12.7 billion	16.8 billion
2009	15.4 billion	20.4 billion	12.2 billion	16.1 billion
2008	18.5 billion	24.4 billion	12 billion	15.8 billion
2007	17.6 billion	23.2 billion	11.2 billion	14.8 billion
2006	17.2 billion	22.6 billion	10.4 billion	13.7 billion
2005	16.2 billion	21.3 billion	10 billion	13.1 billion
2004	14 billion	18.4 billion	10.1 billion	13.3 billion
2003	12.7 billion	16.8 billion	10 billion	13.2 billion
2002	15 billion	20.7 billion	9.5 billion	12.5 billion
2001	14.2 billion	18.7 billion	9.4 billion	12.4 billion
2000	12.6 billion	16.7 billion	9.7 billion	12.8 billion
1999	11.1 billion	14.7 billion	8.5 billion	11.2 billion
1998	9.8 billion	12.9 billion	7.9 billion	10.4 billion
1997	6.57 billion	8.65 billion	5.1 billion	6.7 billion
1996	6.53 billion	8.6 billion	4.7 billion	6.2 billion

(Source: British-Irish Chamber of Commerce, '[Value of Goods Imports and Exports between the UK and the Republic of Ireland 1996–2015](#)', accessed 8 March 2017)

⁶⁵ British-Irish Chamber of Commerce, '[Value of Goods Imports and Exports between the UK and the Republic of Ireland 1996–2015](#)', accessed 8 March 2017.

In terms of trading partnerships in both goods and services between the UK and Ireland, the Office for National Statistics report that 5 percent of the UK's exports in 2014 went to Ireland, worth £28 billion, whilst 3 percent of the UK's imports came from Ireland, worth £17 billion.⁶⁶ The following chart reveals the UK's top trading partners in imports and exports, according to 2014 figures.

UK Top Ten Trading Partners in Goods and Services, Current Prices, 2014 (£ billion)



(Source: Office for National Statistics, '[UK Perspectives 2016: Trade with the EU and Beyond](#)', 25 May 2016)

2.2 Potential Impact

The result of the referendum on the UK's membership of the European Union has a number of potential implications for its future trade with Ireland. Some commentators and politicians have suggested that current levels of trade stand to be negatively affected, whilst others are more optimistic about the prospects that leaving the EU could bring.

In 2015, the Economic and Social Research Institute, a think tank partly funded by Ireland's Department of Finance, suggested that were the UK to decide to leave the EU estimates "suggest that a Brexit is likely to significantly reduce bilateral trade flows between Ireland and the UK", and that "the impact could be 20 percent or more".⁶⁷ It also noted that "whilst the 20 percent estimate is an average figure, the impact would differ significantly across sectors and

⁶⁶ Office for National Statistics, '[UK Perspectives 2016: Trade with the EU and Beyond](#)', 25 May 2016.

⁶⁷ Economic and Social Research Institute, '[Scoping the Possible Economic Implications of Brexit on Ireland](#)', November 2015.

products”, such as in merchandise, where “increased trade barriers for the most important products would have a particularly significant impact on total trade volumes”.⁶⁸

Similarly, IBEC, an organisation which represents businesses in Ireland, argued that the decision for the UK to leave the EU and in turn, the single market and customs union, “could seriously disrupt trade between Northern Ireland and the Republic, and deeply damage UK-Irish economic relations”.⁶⁹ According to IBEC Chief Executive Officer, Danny McCoy:

The possibility of the UK leaving both the single market and the customs union raises fundamental questions about Ireland’s future trading relations with the UK. A return to WTO [World Trade Organization] rules would be a significant economic shock to the economy and would hit Irish exporters hard. It would also set the UK and Ireland on very different economic trajectories. In the interest of maintaining good business relations, it is vital that the UK Government sets out in more detail how the serious challenges presented by a hard Brexit might be addressed, including the impact on cross border trade on the island of Ireland.⁷⁰

In an interview with the *Guardian* on 17 October 2016, the then Deputy First Minister, Martin McGuinness, warned against the UK leaving the EU customs union, stating that “any removal from the customs union effectively means we are cut out of a market of 500 million people, yet half an hour down the road they will be able to trade freely with the EU. It would be a devastating blow”.⁷¹

Further, the House of Lords European Union Committee found evidence that suggested “the risks to the Northern Ireland economy posed by Brexit probably outweigh the opportunities”.⁷² During its evidence sessions, the Committee heard from the director of CBI Northern Ireland, Angela McGowan, who argued that “any economic downturn as a result of Brexit would hit Northern Ireland the hardest”.⁷³ She also highlighted Northern Ireland’s dependence on the EU with regard to exports, compared with the rest of the UK. According to the HM Revenue and Customs, 52 percent of Northern Ireland’s exports go to the EU, including 38 percent to the Republic of Ireland.⁷⁴ In addition, Angela McGowan stressed the “importance” of free movement of labour to Northern Ireland “in helping to boost a small domestic labour market”.⁷⁵

The Committee noted that the agri-food sector, in particular, had become dependent on foreign labour, with 60 percent of factory workers and 90 percent of seasonal labourers being non-UK nationals.⁷⁶ As a result, the Committee urged both the Northern Ireland Office and Northern Ireland Executive to “redouble their efforts to engage with both sides of industry in

⁶⁸ Economic and Social Research Institute, [Scoping the Possible Economic Implications of Brexit on Ireland](#), November 2015.

⁶⁹ IBEC, [‘UK’s Brexit Approach Risks Damaging UK Irish Relations’](#), 17 January 2017.

⁷⁰ *ibid.*

⁷¹ Patrick Wintour, [‘Northern Ireland Should Push for Special EU Status, Says Martin McGuinness’](#), *Guardian*, 17 October 2016.

⁷² House of Lords European Union Committee, [Brexit: UK-Irish Relations](#), 12 December 2016, HL Paper 76 of session 2016–17, p 17, para 60.

⁷³ *ibid.*, para 41.

⁷⁴ *ibid.*, para 42.

⁷⁵ *ibid.*, para 44.

⁷⁶ *ibid.*

Northern Ireland to ensure that their views are taken into account in the forthcoming negotiations”.⁷⁷

However, supporters of the decision for the UK to leave the EU have maintained that the decision presents new opportunities to negotiate trade agreements outside of the EU and that trade relations between the UK and Ireland will continue. In October 2016, the then First Minister for Northern Ireland, Arlene Foster, wrote an article for the *Guardian*, contending that:

There is no evidence to support the case that either Scotland or Northern Ireland should stay in the EU “for the sake of” trade with the rest of the EU. The reality is that trade with the EU won’t stop when we’re out of it, any more than it does for those who have never been in it. Just like the US, China, and Australia, the Brexited UK will quite capably conduct trade with the EU.⁷⁸

On 31 January 2017, the Prime Minister, Theresa May, wrote an article in the *Irish Times* on UK-Irish relations once the UK formally leaves the EU. In regards to trade, Mrs May stated:

The UK will, as a priority, pursue a strategic partnership and a bold and ambitious free trade agreement with the EU, allowing for the freest possible trade in goods and services between the UK and the EU’s member states [...]

Instead of membership of the single market, we will seek the greatest possible access to the single market through a new, comprehensive, bold and ambitious free trade agreement. That agreement may take in elements of current single market arrangements in certain areas—for example, the freedom to provide financial services across national borders, which directly connects Dublin and the City of London.⁷⁹

Further, on 13 February 2017, ahead of a visit to Dublin to meet political, business, energy sector and tourism figures to discuss the challenges facing Northern Ireland and Ireland prior to the UK leaving the EU, the Secretary of State for Northern Ireland, James Brokenshire, said with regards to UK-Irish trade:

As Secretary of State for Northern Ireland, I am acutely aware that the ability to move and trade freely across the border is an essential part of daily life for people and businesses on both sides of the border, and the UK Government recognises the importance of finding a practical solution that reflects the unique economic, social and political context of the border. We want to see trade and travel continuing to be as frictionless as possible.⁸⁰

⁷⁷ House of Lords European Union Committee, [Brexite: UK-Irish Relations](#), 12 December 2016, HL Paper 76 of session 2016–17, p 17, para 60.

⁷⁸ Arlene Foster, ‘[The UK Joined Europe as One Nation, and That’s How We’ll Leave](#)’, *Guardian*, 28 October 2016.

⁷⁹ Theresa May, ‘[Theresa May: I Know What is at Stake for Ireland in Brexit](#)’, *Irish Times*, 31 January 2017.

⁸⁰ Northern Ireland Office, ‘[Brokenshire in Dublin for Key Sector Meetings](#)’, 13 February 2017.

3. Further Reading

The subject of the UK/Irish border involves a wide range of subjects, such as peace and security, border control and trade. The following resources provide further reading on aspects of these subjects:

- House of Lords European Union Committee, [Brexit: UK-Irish Relations](#), 12 December 2016, HL Paper 76 of session 2016–17
- House of Commons Northern Ireland Affairs Committee, [Northern Ireland and the EU Referendum](#), 26 May 2016, HC 48 of session 2016–17
- House of Lords Library, [Leaving the European Union: Customs Unions—An Introduction](#), 27 January 2017
- House of Commons Library, [Brexit: Impact across Policy Areas](#), 26 August 2016
- House of Commons Library, [The Common Travel Area, and the Special Status of Irish Nationals in UK Law](#), 15 July 2016
- Northern Ireland Assembly Research and Information Service, [The EU Referendum and Northern Ireland: Information Resources](#), 20 May 2016
- Northern Ireland Assembly Research and Information Service, [The EU Referendum and Potential Implications for Northern Ireland](#), 21 January 2016
- Institute of International and European Affairs, [What Would Happen to the Northern Irish Border in the Event of Brexit?](#), 22 June 2016
- Aoife O'Donoghue et al, [Brexit-ing Northern Ireland: The Challenges Ahead](#), Oxford Law Faculty Blog, 6 July 2016

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