

The Irish PM needs to act before it's too late

By Graham Eardley, Chairman of UKIP Walsall

The border between Northern Ireland and the Republic of Ireland is approximately 310 miles long, and along this border there are 208 formal crossing points.

The European Union, in order to protect its border with a newly independent United Kingdom, has negotiated a withdrawal agreement with the UK. This agreement has been unable to gain UK parliamentary ratification.

As part of the agreement, it is proposed to introduce a backstop mechanism along the border between Northern Ireland and its neighbour – the Republic.

The backstop will in effect see a border drawn along the Irish Sea keeping Northern Ireland under separate trading and customs regulations, and keep it subservient to the European Union by remaining in the Customs Union and Single European market.

Something which is a complete anathema to Brexiteers such as I and Democratic Unionists who currently prop up the Conservative led UK Government.

Should the UK leave the European Union on what are colloquially known as “no deal” terms, the Irish Republic Government has indicated, and this perception is also backed up by luminaries such as James Anderson and Professor Emeritus of Political Geography at Queen’s University Belfast, writing recently in the Irish Times that a hard border including customs checks would have to be introduced.

Such a move would lead to an all-Ireland referendum which in turn could see Northern Ireland succeed United Kingdom sovereignty in favour of a United Ireland.

“Without it (the Backstop) there would have to be a hard border and customs checks between Northern Ireland and the Republic which nearly everyone claims not to want.”^[1]

There is a problem with this point of view during the 1970s & 80's, known as 'The Troubles', when hard borders were in place between Northern and the South of Ireland, not every inch of the border was patrolled 24 hours day, seven days a week, with guns and explosives still manage to cross the border.

In addition, alcohol and tobacco also managed to cross, so how effective the reintroduction of a hard land border will be remains a moot point.

Another point raised with internal Borders within the European Union is that of Freedom of Movement.

The UK and Ireland have had a common travel area in one form or another since 1923 and indications are that this will be maintained in Ireland, as is the UK for that matter, outside of the Schengen Area so it has a border with the rest of the European Union so far as free movement is concerned.

The Irish Prime Minister Leo Varadkar, I would argue, should give even more serious consideration before introducing a hard border between the United Kingdom and his country.

The European Union, I would contend, will give him little fiscal support for any border infrastructure and indeed politically throw his Country under the bus apart from giving him warm words and platitudes.

The World Trade Organisation (WTO) have made it quite clear in the past that the organisation will not force anyone to put up border posts. In fact, last year on a visit to Dublin, Kenneth Blackwell, a WTO Spokesman is quoted as saying: “There is nothing in WTO rules that forces anyone to put up border posts.”^[2]

So he and his government must look at the various schemes that the International Chambers of Commerce have introduced, including Authorised Economic Operators both at an individual and documentary credits using the Incoterms or International Commercial

Terms, where goods could have duty paid in advance or at place and have them inspected at the point of delivery by the authorities.

I would call on the Irish Taoiseach to take unilateral action and consider using GATT Article 24 as a means of solving the border issue so as more protracted negotiations take place.

Whilst this may cause him a short-term headache with his European partners, he could counter this when the threat that Ireland could in turn seek an independent partnership with the UK and realise it is the intransigence of his partners in negotiating Brexit that could cause him real problems.

As Arlene Foster leader of the Democratic Unionist Party (DUP) said following her meeting with UK Prime Minister Boris Johnson on 31 July 2019: “We talked about the fact that Dublin and indeed Brussels needed to dial back on the rhetoric and be a willing partner to find a deal, not just for the UK but for the Republic of Ireland and the whole of Europe.

“No deal is on the table because of the fact we have a very belligerent European Union, who instead of focusing on a deal that was good for all of us, wanted to break up the United Kingdom.”^[3]

The Irish PM needs to act before it's too late and Leo Varadkar finds Ireland caught between the rock of the EU and quite possibly the hard place of in The UK.

Disclaimer: This blog is written in a personal capacity and does not necessarily reflect the views of Centre for Brexit Studies and Birmingham City University.

^[1] <https://www.irishtimes.com/opinion/we-must-consider-revisiting-the-northern-ireland-only-backstop-1.3972177>

^[2] <https://www.irishtimes.com/news/ireland/irish-news/wto-says-its-rules-would-not-force-eu-or-uk-to-erect-hard-irish-border-1.3710136>

^[3] <https://www.express.co.uk/news/uk/1160218/Brexit-News-DUP-Arlene-Foster-Boris-Johnson-deal>