Written evidence from St Mary’s University, Twickenham (EUR0009)

Summary

Brexit is going to require a much greater concentration by the UK on its bilateral relations with individual former EU partners following the UK’s departure from the Brussels fora. In Ireland’s case, there will be particular challenges because of the intensity of the bilateral relationship. The various East West channels set up following the Good Friday Agreement will offer some possibility for broader contacts and the direct political and the diplomatic channels will assume new importance.

British-Irish relations in the EU context

1. The relationship between the UK and Ireland will continue to be very close after Brexit. The personal ties alone between the two islands and the large number of citizens of each resident in the other jurisdiction make this inevitable. So do the ties of language, culture, geography and history. There are huge economic and trade interests in common. And there is the joint and continuing concern with the preservation of the peace process in Northern Ireland. None of these issues is going to go away with Brexit. The fact that they have already been recognised in the divorce settlement phase of Brexit underlines their importance.

2. Nevertheless, joint membership of the EU has played an important part in developing close personal links between Ministers and officials in Dublin and London. Over forty years the regular meetings across a spectrum of issues of mutual concern within the EU have kept Ireland and the UK strongly in each other’s orbit. On any given day, there could be more than two dozen meetings going on involving a range of people whose “getting to know” each other has been an unmeasured but powerful source of growth in mutual understanding and mutual endeavour. That will now fall away. The UK’s departure from the EU common institutions will inevitably reduce the opportunities for contact and cooperation. The challenge will be to maintain and develop the existing channels. How this might be done is a matter for speculation. Apart from fine words from London (and Brussels) about the closest possible cooperation with the EU, we do not know what kind of institutional contact will exist between Britain and the 27 after Brexit. The shape of this contact will be important in giving a clear picture of the future London/Dublin relationship.

The Peace Process

3. The peace process is a work in progress and as current political events show, progress is real but slow and apt to backslide. There are sinister elements waiting in the shadows to capitalize on failure. The peace process is the child of among others the UK and Ireland governments. It is robust up to a point but not yet fully inoculated against all the toxic viruses that could infect it. Brexit has created a landscape in which potentially new and unforeseen viruses could attack the fragile pillars of peace. In and of itself, that reality should keep us all focused on maintaining and developing, solidifying and growing the best East West interfaces and relationships possible. We owe that to the future. Out of past difficulties we have already crafted the miracle of extremely good East West relationships – better than at
any time in our history. That dynamic is an essential sine qua non of a successful and culturally and generationally transformative peace process.

4. The Brussels structures provided an example of cooperation that informed the cross-border institutions particularly following the Good Friday Agreement. From accession in 1973, cooperation between the two administrations has been encouraged by common interests in EU issues. At the height of the Troubles in Northern Ireland meetings in Brussels often provided a quiet space in which Dublin and London could talk. The European Parliament provided a forum in which representatives of the communities in Northern Ireland could cooperate on pursuing common economic interests. More broadly the similarity of administrative and legal systems meant that Britain and Ireland had common approaches over a wide range of issues on the EU agenda.

5. The institutions put in place after the Good Friday Agreement will continue after Brexit. However, while it is important to note that the GFA institutions could have been set up irrespective of whether one or both were members of the European Union, British and Irish membership of the EU has provided a cocoon for their operation. Moreover, the GFA institutions were never designed to take the place of those interactions at EU level and their structure and remit may struggle to cope with the expectation that they can easily and quickly replace the intensity and breadth of the everyday EU mutualities. What is more, with the likely demise of the Northern Assembly, and the consequent demise of the North South Ministerial Council, there is the very real danger that the East West GFA institutions will become absorbed with the detail of Northern Ireland’s issues alone (for which it was largely designed). They will have difficulty grafting on a more extensive litany of economic and political interests embracing the entirety of these islands with one jurisdiction inside the EU and the other outside.

6. The British Irish Council which brings together the devolved governments as well as Dublin and London could assume a greater importance. It could offer a forum in which the UK governments can lobby Dublin on issues of interest. London has always been anxious for dialogue on issues arising in the EU for practical reasons (as well as a wish to move the dialogue beyond simply Northern Ireland). This is likely to continue and even be reinforced. Bilateral lobbying of partners will assume a heightened importance. The substantial existing institutional contacts between Dublin and London are an obvious forum since they range from the level of officials through parliamentary and political contact up to the highest level on both sides. Structures will have to evolve rapidly and with a much greater degree of coherence than has been evident hitherto. The UK’s departure from the single market and the common customs union will require new flexible arrangements on the island of Ireland, ideally involving a customs agreement between the UK and the EU without any tariff barriers. It might be helpful to restate the provisions of the Common Travel Area in a new bilateral treaty to bring greater clarity and security after the current uncertainty, even if the Common Travel Area will be regarded by many as a poor substitute to the provisions contained in the Treaty of Rome. Addressing the shape of formal relations between the UK and Ireland will require clarity, so far absent, on the formal relationship between the UK and the EU.

Building future relations

7. The close political contact following EU membership and the peace process has meant that Ministers often deal directly with one another. For Embassies, the public diplomacy role has
come to predominate. The concentration of negotiation on the many issues of common concern in Brussels has meant that bilateral lobbying often takes place there rather than in capitals. With the departure of the UK from the EU many of these contacts will be lost and not just with Ireland. Thus, bilateral contact will assume a new importance especially for the UK. The network of links with Ireland is probably more intense than with any other member State. It will provide opportunities to get the UK view across. Embassies will assume a new significance.

8. It cannot be denied that Brexit will loosen the ties between Dublin and London. For example, Dublin will be careful not to be seen as a surrogate for the UK among the EU 27. One would hope that the very close relationship with the 27 advocated by government in London comes to pass. It will not be as close as the existing relationship. There will be less dialogue among European countries - a loss on both sides. That said at least as far as Ireland is concerned there are major practical consideration as to why the relationship will continue to be strong and why post Brexit arrangements will have to recognise this.

ANNEXE

This submission has been made by St Mary’s University, Twickenham. It draws on individual contributions from Professor Noel Fahey, Visiting Professor and the former ambassador of Ireland to the United States, Germany and the Holy See; the former President of Ireland, Professor Mary McAleese, Distinguished Professor; Professor Sir Ivor Roberts, Visiting Professor and former Ambassador of the United Kingdom to Ireland, Yugoslavia and Italy; and Professor Francis Campbell, Vice Chancellor of St. Mary’s University. Any views expressed in this submission should not necessarily be taken to represent the agreed views of all the individual contributors. The individual contributions were also provided in a strictly personal capacity and should not be read to represent the official positions of the governments of Ireland or the United Kingdom.

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