

# UK Government's position paper

## Northern Ireland and Ireland



### Summary of UK Government's Position Paper Northern Ireland and Ireland

The focal point of the paper is the need to avoid any physical border infrastructure in either the UK or Ireland.

The UK Government has stated that an "unprecedented solution" will be needed to address the issue of the Irish border.

It believes that there are four broad areas where a specific focus on the unique relationship between the UK and Ireland is required in the initial phases of the dialogue. The paper sets out the UK's proposals for these areas as follows:

- Section 1: Upholding the Belfast ('Good Friday') Agreement in all its parts;
- Section 2: Maintaining the Common Travel Area and associated rights;
- Section 3: Avoiding a hard border for the movement of goods; and
- Section 4: Aiming to preserve North-South and East-West cooperation, including on energy.

#### **Section 1: Upholding the Belfast ('Good Friday') Agreement in all its parts**

The paper proposes that the UK and the EU should:

- affirm the ongoing support of the UK Government and Irish Government, and the European Union, for the peace process;
- formally recognise that the citizenship rights set out in the Belfast ('Good Friday') Agreement will continue to be upheld; and
- agree to the continuation of PEACE funding to Northern Ireland and border counties of Ireland

#### **Section 2: Maintaining the Common Travel Area and associated rights**

The Common Travel Area (CTA) is a special border-free zone comprising the UK, Ireland, the Channel Islands and the Isle of Man. The CTA arose to facilitate the principle of free movement for British and Irish citizens between the UK, Ireland and the Islands, and the reciprocal enjoyment of rights and entitlements to public services of citizens when in the other's state.

The operation of the CTA is dependent on cooperation between its members, with full regard for the interests and legal obligations of each nation.

The reciprocal rights for UK and Irish nationals include:

- the right to enter and reside in each other's state without being subject to a requirement to obtain permission;
- the right to work without being subject to a requirement to obtain permission;
- the right to study;
- access to social welfare entitlements and benefits;
- access to health services; and
- the right to vote in local and parliamentary elections.

The UK wants to continue to protect the CTA and associated reciprocal bilateral arrangements. This means protecting the ability to move freely within the UK and between the UK and Ireland with no practical change from now, recognising the special importance of this to people in their daily lives, and the underpinning it provides for the Northern Ireland political process.

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***The UK proposes that the UK and the EU seek to agree text for the Withdrawal Agreement that recognises the ongoing status of the CTA and associated reciprocal arrangements following the UK's exit from the EU. The UK believes that this proposal is consistent with the European Commission's directives.***

The paper notes that that immigration controls are not, and never have been, solely about the ability to prevent and control entry at the UK's physical border. Along with many other Member States, controlling access to the labour market and social security have long formed an integral part of the UK's immigration system. The nature of this range of control mechanisms means that the UK is confident that it will be able to maintain existing movement to the UK from within the CTA without requiring border controls; respect Ireland's ongoing EU free movement obligations; and put in place a new UK immigration system and controls for EEA citizens.

However it is noted that wider questions about the UK's future operation of its whole border and immigration controls for EEA nationals (other than Irish nationals) can only be addressed as part of the future relationship between the UK and the EU.

### **Section 3: Avoiding a hard border for the movement of goods**

The paper sets out a number of high level principles and criteria the UK and EU aim to discuss in forthcoming rounds of negotiations.

The UK is proposing that potential models for the land border are developed on the basis of the following nine key principles and criteria:

- Recognise the crucial importance of avoiding a return to a hard border for the peace process in Northern Ireland. This must mean aiming to avoid any physical border infrastructure in either the United Kingdom or Ireland, for any purpose (including customs or agri-food checks).
- Respect the provisions of the Belfast ('Good Friday') Agreement in all its parts, with particular reference to: the three-stranded constitutional framework set out in the Agreement; the need to respect and treat equally the identity, ethos and aspirations of both communities; and the importance of promoting sustained economic growth in Northern Ireland.
- Recognise the unique nature of the land border, in particular: its history and geography; the cross-border movements of smaller traders, farmers and individuals; the need to protect everyday movement of goods; and the integrated nature of the agri-food industry.
- Prevent the creation of new barriers to doing business within the UK, including between Northern Ireland and Great Britain.
- Address other regulatory and customs-related barriers necessary to deliver as frictionless a land border as possible including waivers from security and safety declarations, and ensuring there is no requirement for product standards checks or intellectual property rights checks at the border.
- Address the transit of goods to and from Ireland to the rest of the European Union via the United Kingdom – in line with the European Commission's directives – through UK membership of the Common Transit Convention.
- Consider how best to protect the integrity of both the EU Customs Union, Single Market and trade policy, and the new independent UK customs regime, internal market and trade policy, in the context of finding flexible and imaginative solutions, while recognising that the solution will need to go beyond any previous precedents.
- Take account of the importance of trade between Ireland and the UK and aim to avoid economic harm to Ireland as an EU Member State.

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- Agree at an early stage a time-limited interim period, linked to the speed at which the implementation of new arrangements could take place, that allows for a smooth and orderly transition

### Specific options in relation to the customs border

The principles set out above are designed to cover any potential border frictions between Northern Ireland and Ireland, not just new customs processes. The UK has recognised that the specific issues relating to customs and checks on particular goods such as Sanitary and Phytosanitary (SPS) measures will need to be prioritised and considered in depth at an early stage of the negotiations on the border. On 15 August, the UK Government set out two broad approaches to a future customs relationship with the [EU in Future Customs Arrangements: a future partnership paper](#).

### Section 4: Aiming to preserve North-South and East-West cooperation, including on energy.

The UK proposes that the initial phases of the dialogue should focus on reaching a common understanding of the principles of North-South and East-West cooperation.

Alongside the movement of people and goods the UK Government believes specific consideration should be given to the energy market in Northern Ireland and Ireland.

The development of the Single Electricity Market (SEM) is a practical example of North-South cooperation that has benefited the people of Northern Ireland and its economy by helping to reduce consumer electricity prices, facilitating the integration of renewables, and bolstering the security of supply.

The continued ability to trade gas between GB and the island of Ireland is also critical for security of supply and efficient market operation. Electricity generation in Northern Ireland and Ireland is heavily reliant on supplies of natural gas, and imports from GB account for nearly 100 per cent of Northern Ireland's gas supplies and 40 per cent of supplies for Ireland.

The efficient transit of gas across the border to and from Ireland, and maintaining affordable, sustainable and secure electricity supplies across the island of Ireland are central to achieving stability of energy supply on the island of Ireland.

The UK proposes that the new framework relevant to the energy market in Northern Ireland and Ireland should:

- Recognise the importance placed on cross-border cooperation in the Belfast ('Good Friday') Agreement, which provides for cooperation between Northern Ireland and Ireland (Strand 2), and the UK and Ireland (Strand 3);
- Take account of the strategic importance to Northern Ireland and Ireland of maintaining affordable, secure, and sustainable supplies of electricity and gas for businesses and domestic consumers; facilitate the continuation of a single electricity market covering Northern Ireland and Ireland;
- Facilitate the continuation of efficient electricity and gas interconnection between the island of Ireland and Great Britain;
- Seek to provide certainty as soon as possible for citizens, investors, and businesses in Northern Ireland and Ireland on energy arrangements; and
- Include an appropriate interim period to ensure that any changes to current arrangements can be implemented in a timely way.

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In line with the importance that the UK places on continuing North-South cooperation, the principles proposed above specifically highlight the need to continue the operation of a single electricity market

### **Annex A -What is the customs union?**

- Countries in the customs union do not impose tariffs - taxes on imports - on each other's goods.
- Every country inside the union levies the same tariffs on imports from abroad.
- So, for example, a 10% tariff is imposed on some cars imported from outside the customs union, while 7.5% is imposed on roasted coffee.
- Other goods - such as soap or slate - have no tariffs.
- The UK has said it is leaving the EU's customs union because as a member it is unable to strike trade deals with other countries.

Full paper:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/638135/6.3703\\_DEXEU Northern Ireland and Ireland INTERACTIVE.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/638135/6.3703_DEXEU_Northern_Ireland_and_Ireland_INTERACTIVE.pdf)

Additional Data Paper: Common Travel Area Data and Statistics:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/638137/Additional Data Paper - Northern Ireland Common Travel Area.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/638137/Additional_Data_Paper_-_Northern_Ireland_Common_Travel_Area.pdf)

Additional Data Paper: Northern Ireland Trade Data and Statistics:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/638215/Additional Data Paper - Northern Ireland Trade Data and Statistics 2 .pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/638215/Additional_Data_Paper_-_Northern_Ireland_Trade_Data_and_Statistics_2_.pdf)