

EU has prevented Northern Ireland border solution for three years

*We reproduce here an important briefing by the **Brexit Facts4EU** team on the Irish border. Using sources already in the public domain, they show how the EU – with the willing collaboration of the Irish government – has deliberately prevented UK and Irish civil servants meeting to explore practical solutions to the border issue. Our thanks go to Brexit Facts4EU's editor for permission to reproduce.*

For three years the EU and the Irish Government have prevented UK and Irish Customs from agreeing a straightforward solution for the Irish border question.

It was clear from the outset that – as a result of the EU Referendum – UK and Irish customs authorities would have to discuss and agree new arrangements for the border between Northern Ireland and the Republic of Ireland.

Existing border arrangements on the Irish border have always been 'different'. Given the relatively open border since the 1990s, special arrangements have already existed for many years. There has always been a border in Customs and Revenue terms because of the two countries' different tax regimes, different excise duties, different VAT rates, and even different currencies.

Here is Mr Niall Cody, Chairman of the Board of the Irish Revenue Commissioners, giving testimony to a Committee of the Irish Parliament in 2017. He was asked about existing arrangements for controlling the border and gave the details for the previous year.

"The vast majority of these checks were carried out in approved warehouses and other premises with a very small number at a port or airport. The low level of import checks is the result of pre-authorisation of traders, advance lodgement of declarations and an extensive system of post-clearance checks, including customs audit, which are carried out at traders' premises."

"Authorised economic operators, AEOs, have a special status in the system and under agreed protocols are allowed to operate greatly simplified customs procedures. There are currently 133 AEOs, which account for 82% of all imports and 89% of exports. It will be very important that the bulk of trade continues to be through AEOs after Brexit."

– Niall Cody, Chairman of the Board of the Irish Revenue Commissioners, testimony in 2017

So why didn't Irish and UK Customs get together to agree to extend existing border arrangements?

It is clear from the testimonies of the most senior Customs officials on both sides of the border – the department heads with the expertise – that they were prevented from talking to each other by the EU and by the Irish government.

"We are not in any form of negotiation or even having any discussion with the UK at this point."

– Liam Irwin, then Irish Revenue Commissioner

Q: *"Could Mr. Cody clarify whether there is a legal impediment to negotiations between us and—"*

Niall Cody (Chairman of Irish Customs): *"Yes."*

Q: *"—so we can have discussions but not negotiations?"*

Niall Cody : *"The European Union will be negotiating with the United Kingdom in regard to Brexit."*

– Senior Irish Revenue officials, testimony to the Dáil committee in 2017

And here is what the UK Customs boss said:

“There are no formal conversations with either the French or the Irish. We cannot talk to Customs or taxation management organisations in either of those countries.”

– Sir Jon Thompson, Chief Executive of HM Revenue and Customs, giving evidence to the Exiting the European Union Committee, 29 Nov 2017

Sir Jon went on to say that discussions with the Irish Revenue had started, but were halted – and not by the British.

Finally, here is Michel Barnier, EU Chief Brexit Negotiator. Two years ago Michel Barnier was caught on a hidden camera in a meeting with Guy Verhofstadt, the EU Parliament’s Brexit Co-ordinator, discussing the use of Ireland:

“For me there is also a strategic and tactical reason, which is using Ireland for future negotiations. Isolating Ireland and not closing this point, leaving it open for the next two or three years.”

– Michel Barnier, Chief EU Negotiator, caught on camera by BBC4 documentary

If the EU and the Irish Government had been remotely interested in preserving the Good Friday Agreement and peace in Northern Ireland, what would have been more logical than for the civil servants responsible for each side of the border to discuss new arrangements?

Instead, the Irish side has been banned from doing so for the last three years. This was a deliberate act.

A quick solution to altered arrangements for the NI border,

sorted out by those who know the most about it – the Customs teams on each side – was not in the EU's interests. The EU wished to use the border as one of their three pre-emptive issues to prevent trade being talked about and to keep the UK in the Single Market and Customs Union. In this, they have succeeded to this day.

And what of the Irish politicians involved in this? The EU had a willing partner in this subterfuge in the form of the fiercely nationalist Irish government of Messrs Varadkar and Coveney. For the EU this has always been political – it's about punishing the UK. For the Irish Government this has always been about pursuing a united Ireland.

Despite a 'no deal' Brexit being catastrophic for the Irish economy, it is our opinion that they put their own political considerations above the interests of their own people, and effectively weaponised this issue.

In so doing, they have been played by Brussels. It remains to be seen if the Irish people will ever forgive them.