



# Queen's Policy Engagement: Brexit Clinic



23 June 2020

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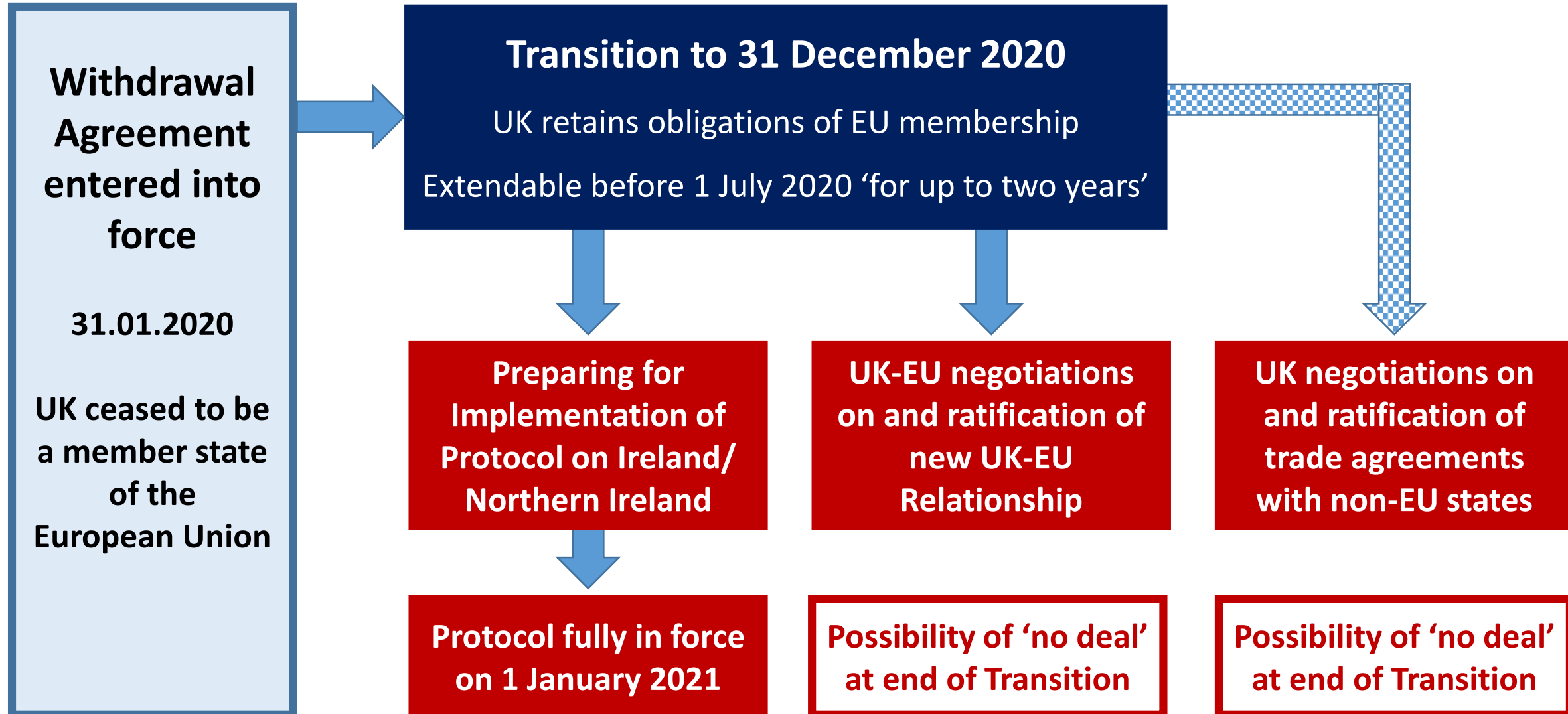


# Brexit Transition: where are we?



Prof David Phinnemore (@DPhinnemore)

# Brexit... now the UK has left the EU



# Transition: Progress

## Protocol on Ireland/Northern Ireland

- Two meetings of Joint Committee; one meeting of Specialized Committee; Joint Consultative Working Group still to meet
- No decisions yet on: 'at risk' goods exempt from tariffs, levels of permissible agricultural support, fish products exempt from tariffs, implementation monitoring arrangements

- EU concerns over UK commitment to implementing obligations
- UK Command Paper (20.06.20) offers assurances but further politicises Protocol
- Operational detail for formalities, systems, checks and controls still required
- Scope of Protocol extended to include overlooked and new legislation

## Negotiating UK-EU Relationship

- Four rounds of negotiations
- UK and EU publish draft texts
- High-level review: intensify talks in July to create 'most conducive conditions for concluding and ratifying a deal before the end of 2020'; 'if possible' find 'an early understanding on the principles underlying any agreement'
- UK 'no' to extension of transition period

- EU complaints that UK moving away from commitments to ambitious partnership contained in Political Declaration
- Major differences on: regulatory alignment and state aid ('level playing field'), fish, governance
- Distinct risk of no comprehensive deal and indeed 'no deal' by end of 2020



# A tale of two chickens: Regulatory divergence after Brexit and what it means in practice



Dr Viviane Gravey (@VGravey)

# Chlorinated chickens cluck again



Political U-turn

Food safety

Animal welfare

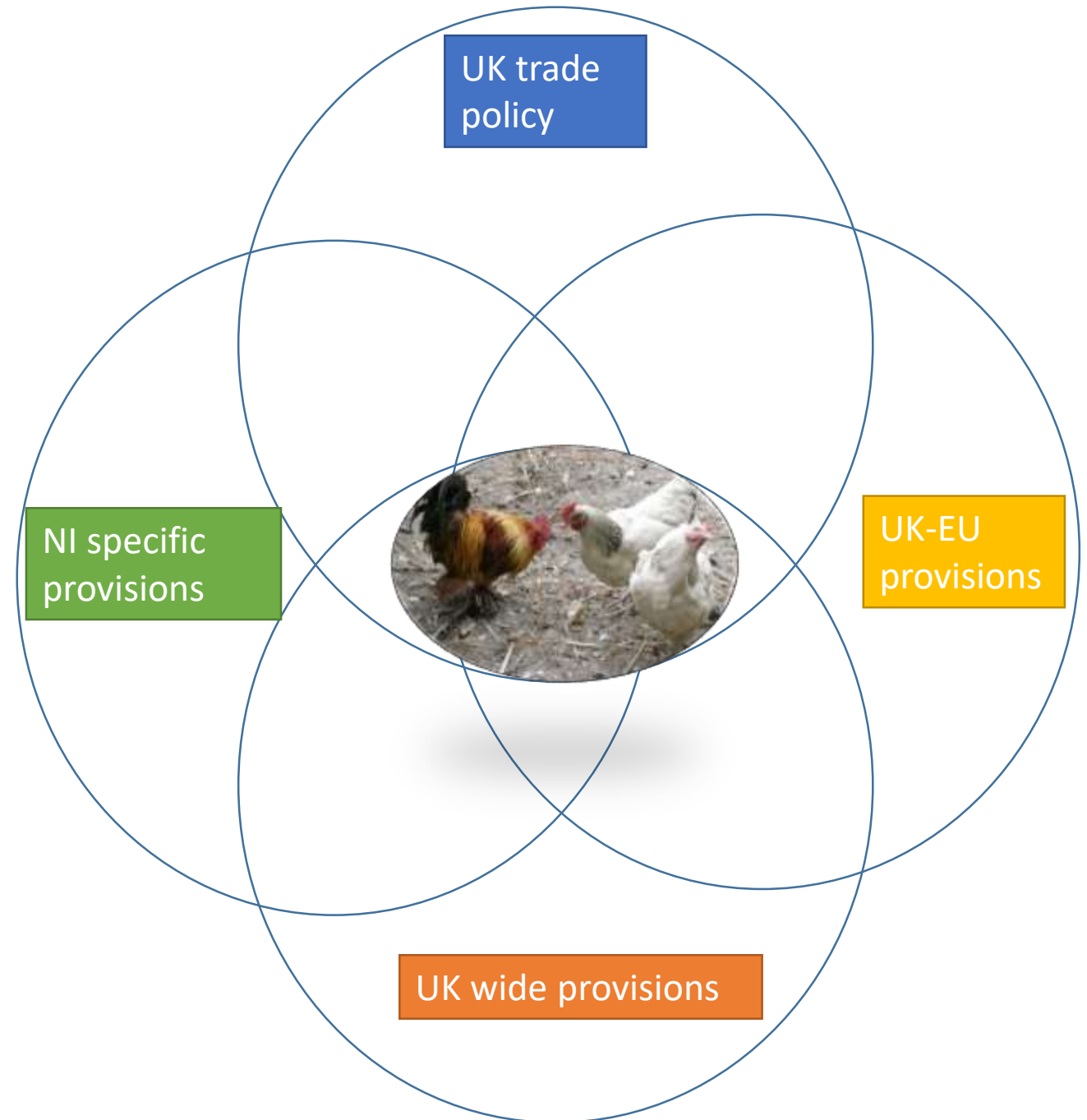
Risk management

Regulatory regime

Trojan horse?

# Regulating the roost?

1. Continued uncertainties for industry and consumers
2. Divergence means increase need for traceability
3. Irish Sea border between two regulatory superpowers?



# Negotiating the EU – UK relationship (and Northern Ireland) – selected legal aspects

Prof Dagmar Schiek (@DSchiek)



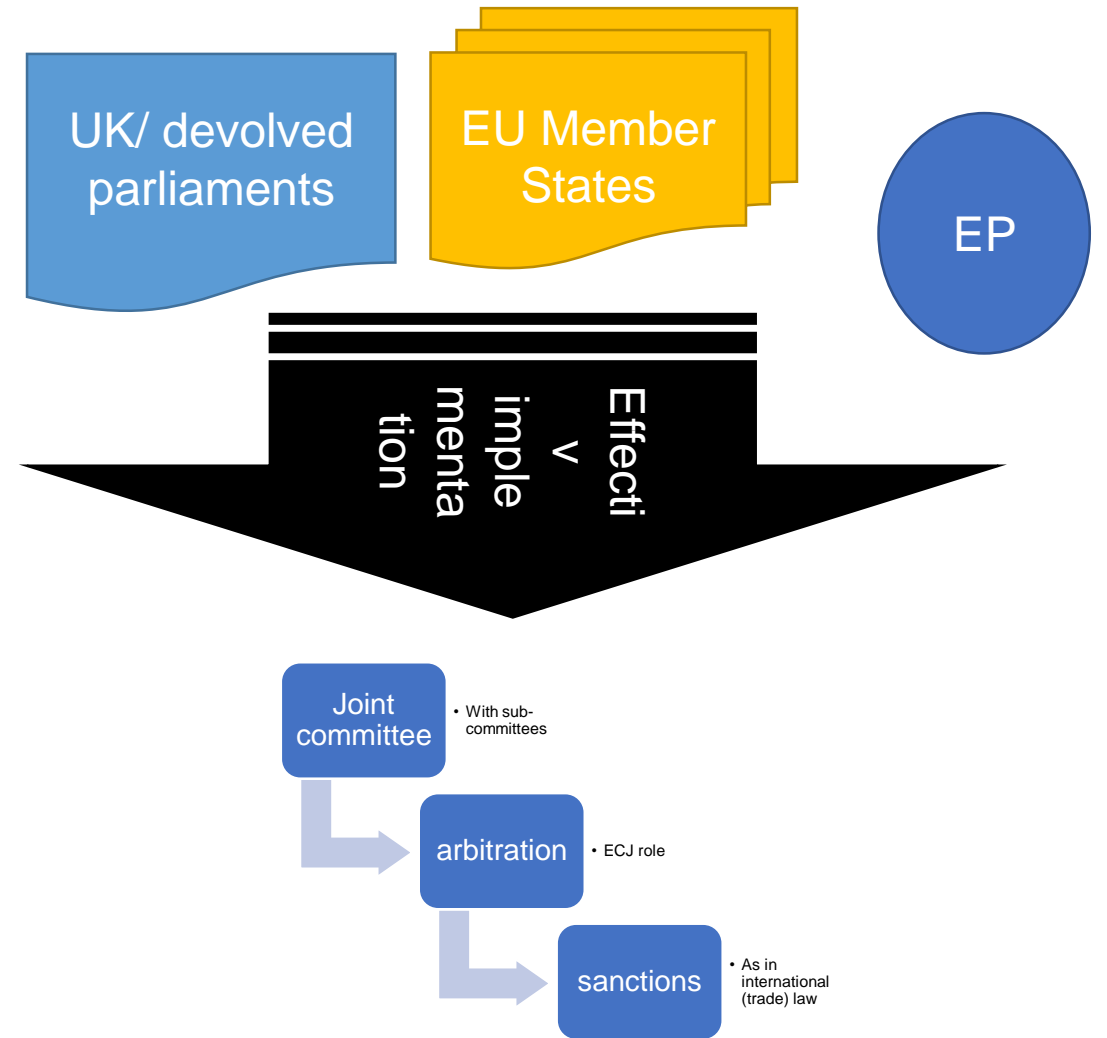
“Forget the law, Brexit is now a clash  
of cultures” (Brian Keegan, Business  
Post, March 2018)



# FOUR ILLUSTRATIONS (1)

- Is there truly a **lack of “democratic legitimacy”** in the NI / IRL protocol?
  - Inclusion of NI institutions in the works of the Specialised Committee
  - Not all alignment is dynamic (Article 2)
  - Control of breaches of agreement (securing democratic decision of signature!)

- What about **discontent / conflicts?**
  - Implementation (Article 12-16, Annex VIII WA)
  - Controls (Articles 170-181 WA, Annex IX)
  - Safeguards (Article 16, Annex 7 protocol)



# FOUR ILLUSTRATIONS (2)



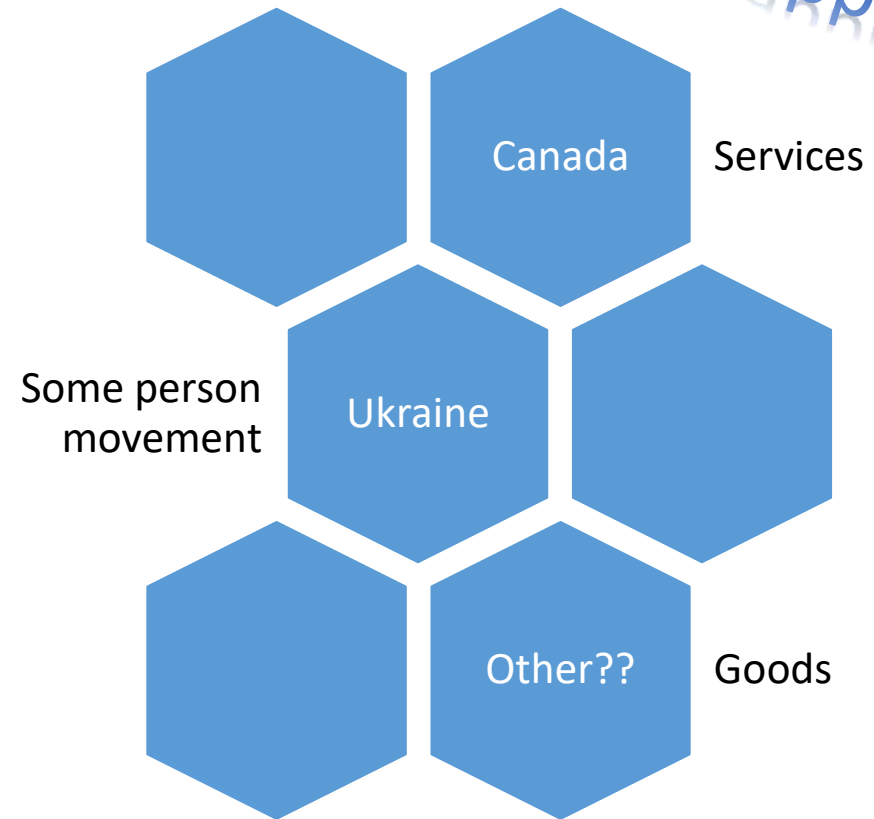
- Articles 5-10 – dynamic EU alignment
  - Why customs, VAT, PSB and other controls
    - For goods entering NI
    - For goods leaving NI
  - Unfettered access to UK market – a UK privilege and obligation, not of both partners
    - Financial and institutional support for NI business and EU rules

- The “big success”: no level playing field
  - Comes at a price: bordering NI if GB determined to threaten EU socio-economic and environmental model
    - Comparison EU neighbourhood
    - Comparing with other FTAs
  - The UK’s pick & choose approach to the FTA (next slide)

# WAYS FORWARD?

- Coherent approach to future relationship
- Dynamics of Article 11 NI protocol
- Counter-dynamics of Article 12
- Legally binding B/GFA???

*The UK's pick & choose approach*



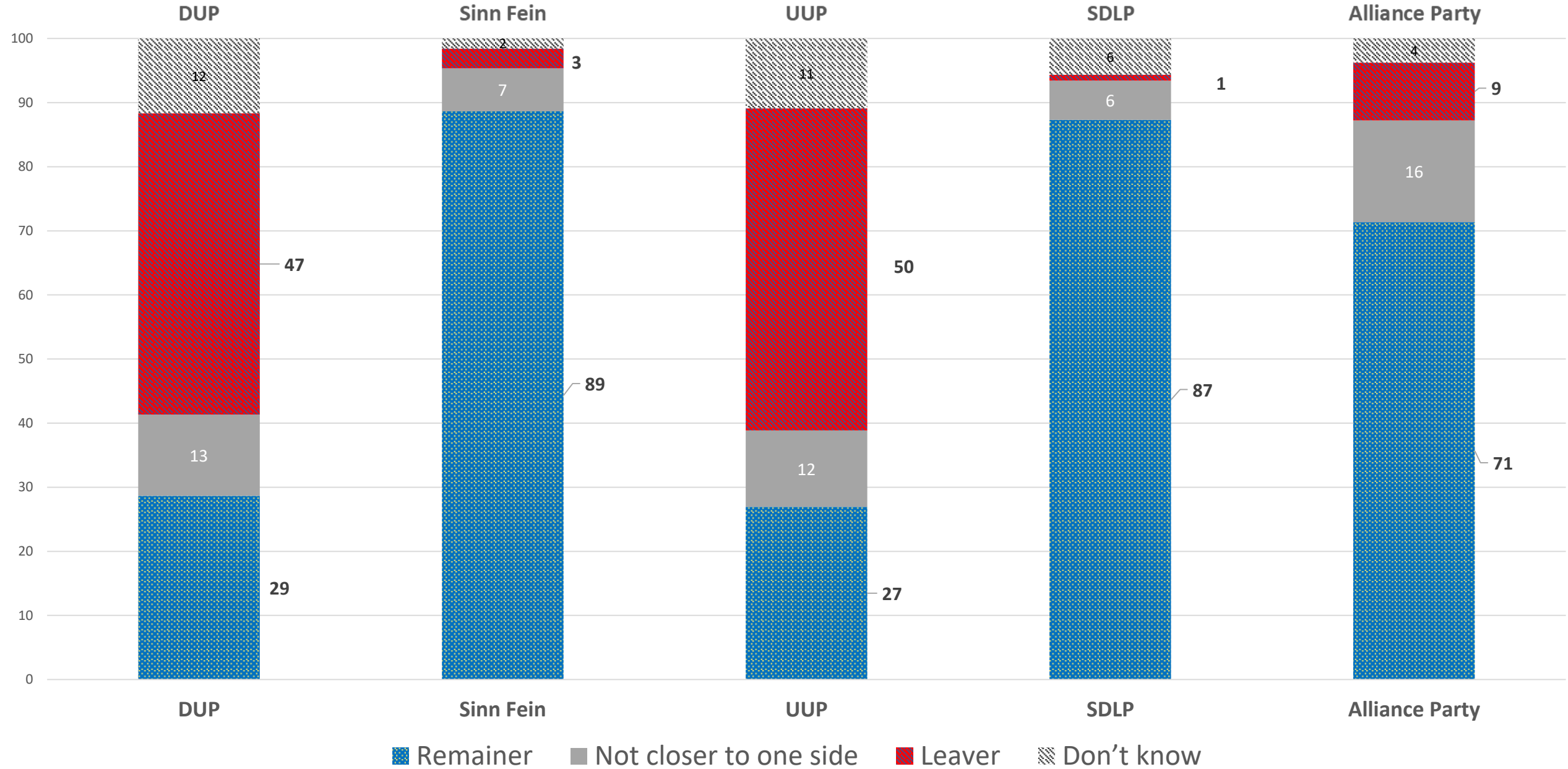


# Public opinion and Brexit: NILT 2019 findings

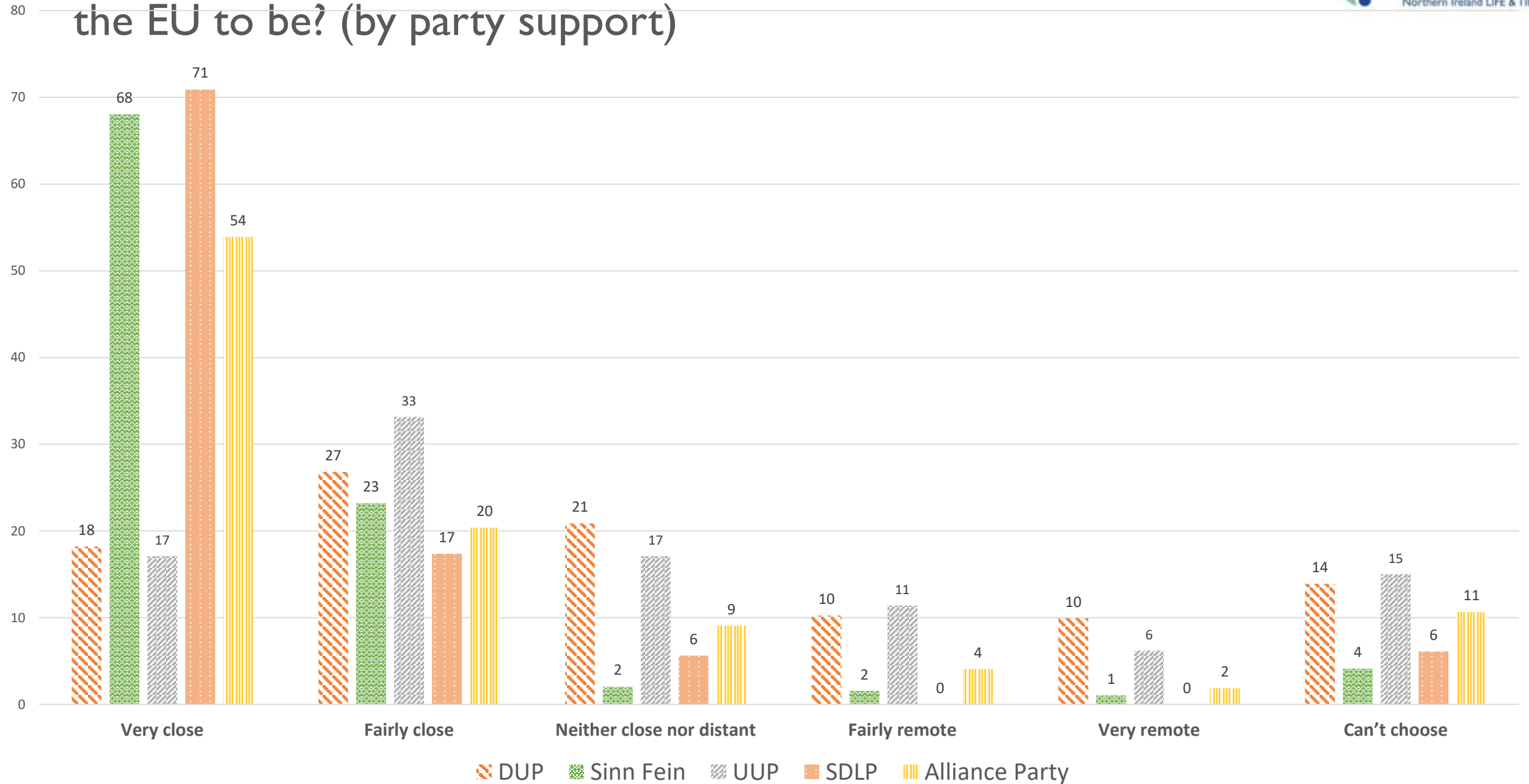


Dr Katy Hayward (@hayward\_katy)

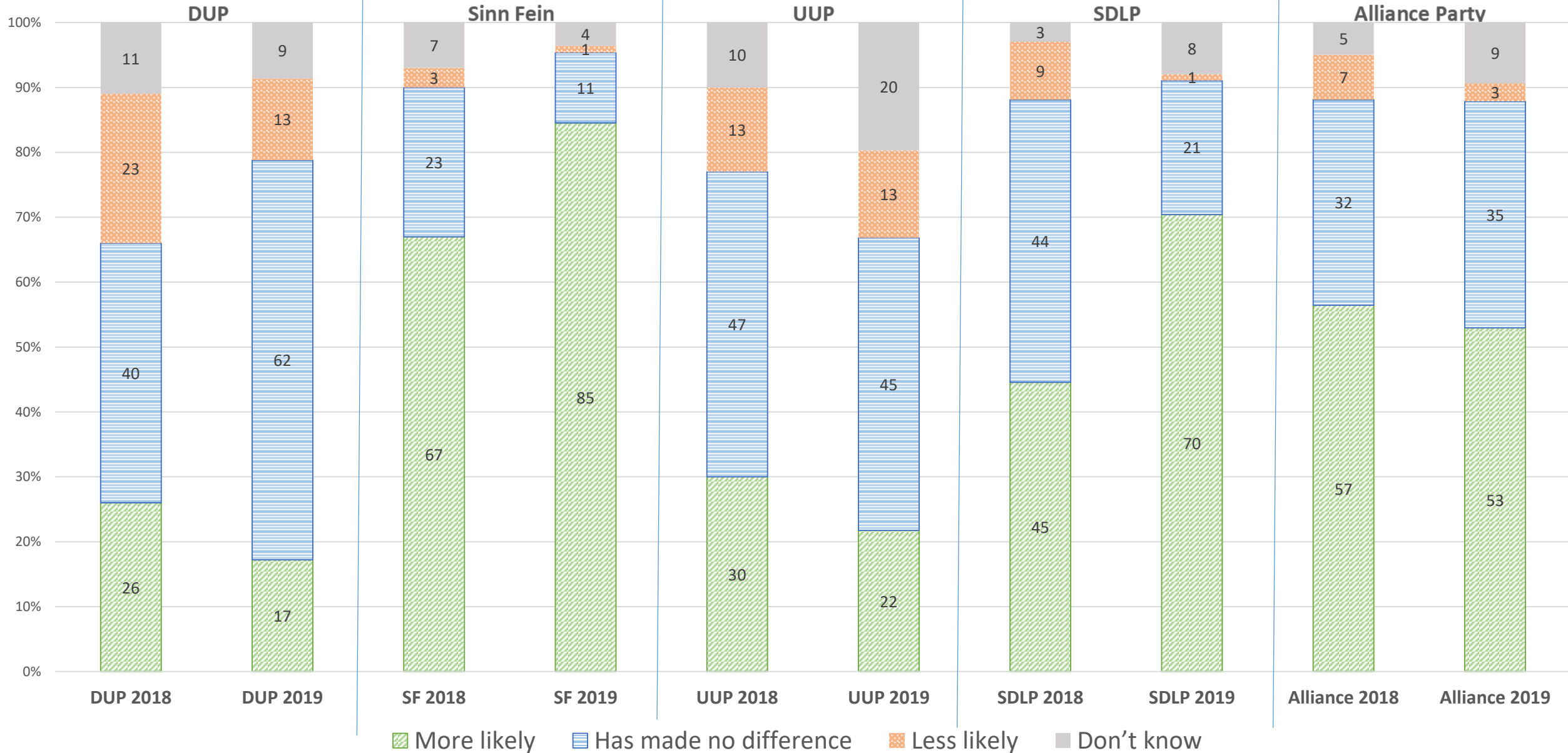
# Party supporters and views on Brexit



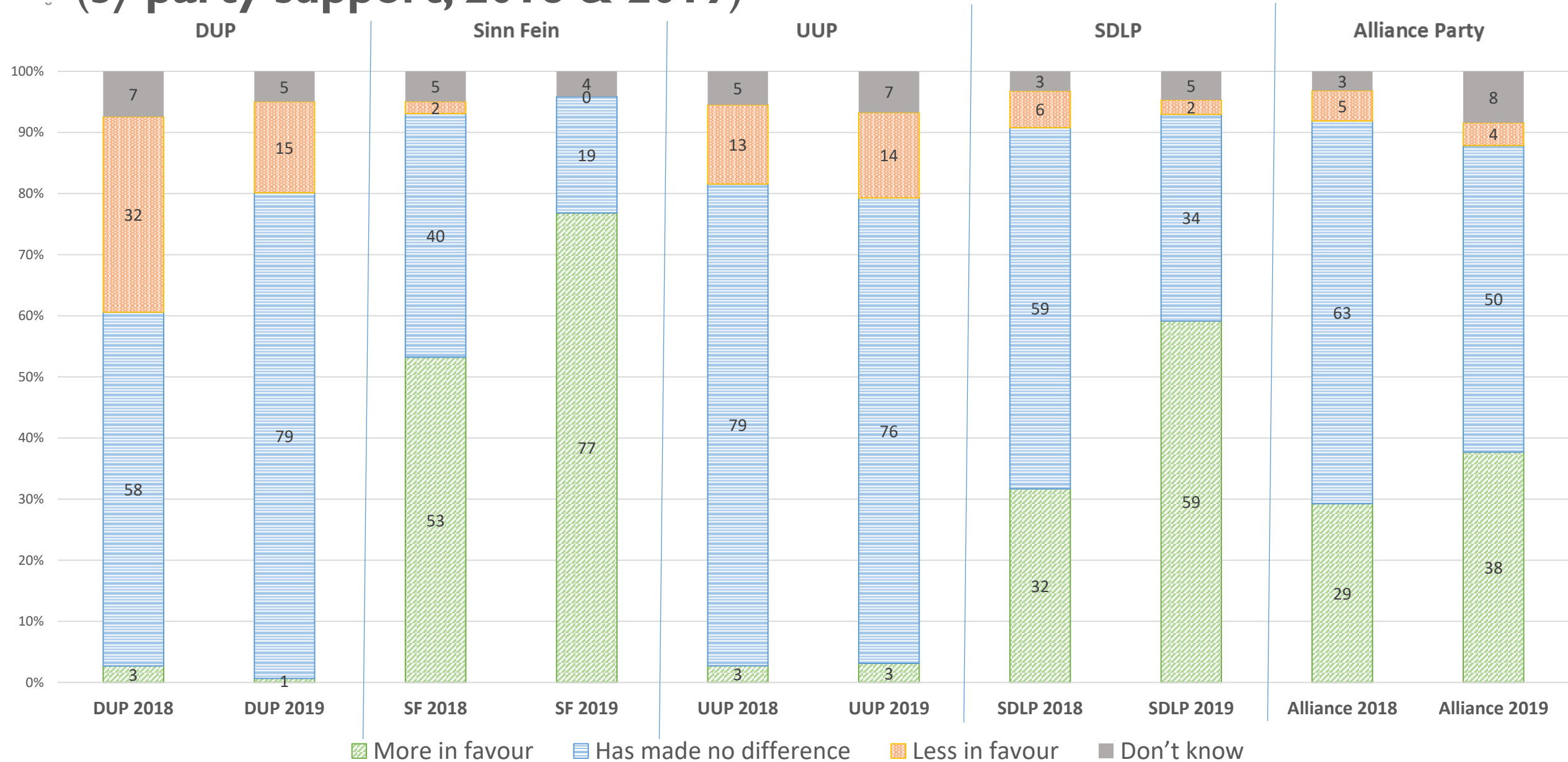
# How close would you like the **UK's future relationship** with the EU to be? (by party support)



# Does Brexit make a United Ireland more likely? (by party support, 2018 & 2019)



# Does Brexit make you more in favour of a United Ireland? (by party support, 2018 & 2019)







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