

BREXIT BRIEF

Brexit Brief Issue 95
07 October 2020



Tony Brown

Introduction

The Brief seeks to provide up-to-date information on the progress and content of the UK-EU negotiations, and bring together relevant statements and policy positions from key players in Ireland, the UK and the EU.

The Brief is part of a wider communications programme covering the work of the IIEA's UK Project Group – including commentaries, speeches, texts and event reports – which are highlighted on the Institute's website. (www.iiea.com)

Section One: State of Play

UK Prime Minister – Commission President Phone Call, 3 October 2020

The Prime Minister, Boris Johnson, and the European Commission President, Ursula von der Leyen, spoke by phone on 3 October 2020. They approved a further month of Brexit negotiations, agreeing that sufficient progress had been made in the nine rounds of talks to justify a final effort to conclude a deal on trade, security and related matters.

The leaders subsequently issued a Joint Statement, highlighting the importance of finding an agreement to both sides:

The President of the European Commission, Ursula von der Leyen, and the UK Prime

Minister, Boris Johnson, spoke today about the state of play in the negotiations on the future relationship between the UK and the EU.

They agreed on the importance of finding an agreement, if at all possible, as a strong basis for a strategic EU-UK relationship in future. They endorsed the assessment of both Chief Negotiators that progress had been made in recent weeks but that significant gaps remained, notably but not only in the areas of fisheries, the level playing field, and governance.

They instructed their Chief Negotiators to work intensively in order to try to bridge those gaps. They agreed to speak on a regular basis on this issue.

The UK Chief Negotiator, Lord David Frost tweeted: "Here is the agreed statement from BJ and vdL after their phone call today. It instructs me and MB to work intensively in order to bridge the gaps between us. That work begins as soon as we can next week." The Chief Negotiators will meet in London in the coming week and in Brussels in the week of 12 October.

European Council, 1-2 October 2020

A Special meeting of the European Council took place in Brussels on 1-2 October 2020 to discuss Covid-19 and related issues. The Taoiseach, Micheál Martin, described the discussions on Covid-19, and Europe's response to the pandemic, as useful. The Council briefly addressed the on-going Brexit negotiations and the Taoiseach issued a statement on the topic of Brexit, noting the need to restore trust in the negotiations:

Brexit was also addressed at the meeting today and, following an update on the negotiations from the President of the European Commission, I gave my assessment of the current situation. I underlined the importance of full implementation of the Withdrawal Agreement including the Northern Ireland Protocol, and seamless trade on the island of Ireland. I also stressed the need to restore trust in the negotiations between the EU and UK, following the unilateral action taken by the British Government. Our desired outcome of the trade negotiations is a sensible and comprehensive agreement between the United Kingdom and the European Union, which protects jobs and our respective economies.

EU-UK Negotiations Round 9

The Agenda for Round 9 of the EU-UK Negotiations from 29 September-2 October in Brussels covered the following issues: Level Playing Field for Open and Fair Competition; Horizontal Arrangements and Governance; Fisheries; Trade in Goods; Trade in Services and Investment; Law Enforcement and Judicial Cooperation; Energy; Thematic Cooperation; Participation in Union Programmes. Mobility and Social Security Coordination; and Transport. This set of talks was the final formally scheduled element of the overall negotiations

On 22 September, the Union's chief negotiator, Michel Barnier, informed ministers at the General Affairs Council of the state of play of the EU-UK negotiations, the implementation of the Withdrawal Agreement and the EU's readiness preparations in view of the end of the transition period on 31 December 2020. Ministers reaffirmed their support for the Chief Negotiator and his mandate, and stressed that the Withdrawal Agreement had to be respected. A *BBC* report quoted 'a well-informed' EU official as saying that "on technical issues we're 90% there. The remaining 10% is political. And if that can't be solved, then the 90% is irrelevant. There will be no deal."

Following the conclusion of Round 9, Michel Barnier issued a statement noting 'convergence' on issues such as trade in goods, services and investment, civil nuclear cooperation, and participation in Union programmes. Mr Barnier also noted positive developments on aviation safety, social security coordination, and the respect of fundamental rights and individual freedoms, but lamented the lack of progress on personal

data, climate change commitments and other matters of importance to the EU:

We recall once again that any agreement on an economic partnership with the United Kingdom requires:

Solid, long-term guarantees of open and fair competition. Our new economic partnership must be underpinned by clear rules. These rules must be operational and credible. That requires effective enforcement mechanisms, in particular on State aid, and a commitment towards non-regression from social, fiscal, environmental and climate standards. This is possible while fully respecting the regulatory autonomy and sovereignty of both parties.

An efficient governance framework, based on a comprehensive agreement, with robust enforcement and dispute settlement mechanisms, as well as effective remedies. This is naturally even more important following the UK government's introduction of the « Internal Market Bill», which breaches its obligations under the Withdrawal Agreement and the Protocol on Ireland / Northern Ireland.

A stable, sustainable and long-term agreement on fisheries, enabling the United Kingdom to further develop its fishing opportunities, while ensuring the sustainable use of resources and protecting the activities of European fishermen and women.

To reach an agreement, these divergences must necessarily be overcome over the next weeks.

The UK Chief Negotiator, Lord Frost, issued a shorter statement, largely reflecting the EU side's comments:

In many areas of our talks, although differences remain, the outlines of an agreement are visible. This is true of most of the core areas of a trade and economic agreement – notably trade in goods and services, transport, energy, social security, and participation in EU programmes. This has however been true for some time. I am also encouraged that progress has been possible on a law enforcement agreement and that there has been convergence on the structure of the overall partnership.

In other areas familiar differences remain. On the level playing field, including subsidy policy, we continue to seek an agreement that ensures our ability to set our own laws in the UK without constraints that go beyond those appropriate to a free trade agreement. There has been some limited progress here but the EU need to move further before an understanding can be reached. On fisheries the gap between us is unfortunately very large and, without further realism and flexibility from the EU, risks being impossible to bridge. These issues are fundamental to our future status as an independent country.

I am concerned that there is very little time now to resolve these issues ahead of the European Council on 15 October. For our part, we continue to be fully committed to working hard to find solutions, if they are there to be found.

UK Internal Market Bill

The UK Internal Market Bill has completed its initial passage through the House of Commons and will move to the House of Lords where it is likely to face significant opposition. The Bill empowers the UK Government to override elements of the Ireland/ Northern Ireland Protocol to the 2019 Withdrawal Agreement. The detailed content and implications of the Bill are discussed in an extensive [IIEA briefing](#) by Sophie Andrews-McCarroll, which indicates that “The Bill, if passed, creates specific legal entitlements for a Secretary of State to ‘interpret, disapply or modify’ the provisions in the Protocol.”

The Bill was introduced in the House, on 14 September 2020, by the Prime Minister, Boris Johnson, calling on the House to act to preserve what he called the “British ability” to trade freely across the whole of these islands:

When we chose to join the EU back in 1973, we also thereby decided that the EU treaties should serve as the legal guarantor of these freedoms. Now that we have left the EU and the transition period is about to elapse, we need the armature of our law once again to preserve the arrangements on which so many jobs and livelihoods depend. That is the fundamental purpose of this Bill, which should be welcomed by everyone who cares about the sovereignty and integrity of our United Kingdom.

We shall provide the legal certainty relied upon by every business in our country, including, of course, in Northern Ireland. The manifesto on which this Government were elected last year promised business

in Northern Ireland “unfettered access to the rest of the UK”.

[...] The EU is threatening to carve tariff borders across our own country, to divide our land, to change the basic facts about the economic geography of the United Kingdom and, egregiously, to ride roughshod over its own commitment under article 4 of the protocol, whereby “Northern Ireland is part of the customs territory of the United Kingdom.” We cannot have a situation where the boundaries of our country could be dictated by a foreign power or international organisation. No British Prime Minister, no Government, and no Parliament could ever accept such an imposition.

The Bill includes our first step to protect our country against such a contingency by creating a legal safety net taking powers in reserve, whereby Ministers can guarantee the integrity of our United Kingdom. I understand how some people will feel unease over the use of these powers, and I share that sentiment. I have absolutely no desire to use these measures. They are an insurance policy, and if we reach agreement with our European friends, which I still believe is possible, they will never be invoked.

For the Labour Party Opposition, Ed Miliband, substituting for Keir Starmer who was observing COVID-19 self-isolation, moved an amendment to the effect that “this House declines to give a Second Reading to the Internal Market Bill because this Bill undermines the Withdrawal Agreement already agreed by Parliament, re-opens discussion about the Northern Ireland Protocol that has

already been settled, breaches international law, undermines the devolution settlements and would tarnish the UK's global reputation as a law-abiding nation and the UK's ability to enforce other international trade deals and protect jobs and the economy."

After a day of debate in which the arguments surrounding its implications for the Withdrawal Agreement and the Protocol on Ireland/Northern Ireland were central, the Bill received a formal Second Reading by a margin of 340 to 263, a government majority of 77. The DUP backed the Bill and a small number of Tory MPs either voted against or abstained. The prospect of a significant rebellion by Tory MPs deeply unhappy with the prospect of a UK Government breaching international law was averted by a compromise based on a proposed amendment tabled by Tory MP, Sir Bob Neill, requiring the Commons to vote before the provisions in the Bill relating to Northern Ireland could come into force. The Prime Minister indicated that the Government would introduce an amendment in line with that proposal.

The Committee Stage of the Bill saw the defeat, or withdrawal, of a range of amendments and the adoption of a formal Government amendment which provided that the controversial sections of the Bill cannot be activated unless a Minister of the Crown has moved a motion in the House of Commons to the effect that clauses 42, 43 and 45 may be commenced, that the motion has been approved by a resolution of that House and that a motion to the effect that the House of Lords takes note of the resolution has been tabled in the House of Lords by a Minister of the Crown.

The Third Reading of the Bill, on 29 September 2020, saw the House of Commons approve the legislation, with the significant Government amendment, by a majority of 340 to 256. The Bill proceeds to the House of Lords where it is likely to be amended, thus delaying its progress.

The Bill has faced strong opposition, notably from five former Prime Ministers – John Major, Tony Blair, Gordon Brown, David Cameron and Theresa May. Mrs May set out her objections in an intervention in the Committee Stage debate on 21 September:

Today, we are focusing on the parts of the Bill that relate to the Northern Ireland protocol, part of the withdrawal agreement—the withdrawal agreement that was signed by my right hon. Friend the Prime Minister less than a year ago. I can say to the Minister that, in my view, clauses 41 to 45 have no place in this Bill. We are told that they are there because the EU either is acting in bad faith, or might act in bad faith. This is because the withdrawal agreement put a border down the Irish Sea and the Government cannot accept that—but the Government did accept that when they signed the withdrawal agreement with the European Union, and I assume that, when they did so, the Government signed that in good faith.

I consider that, in introducing clauses 41 to 45, the Government are acting recklessly and irresponsibly, with no thought to the long-term impact on the United Kingdom's standing in the world. It will lead to untold damage to the United Kingdom's reputation and puts its future at risk. As a result, with regret I have to tell the Minister that I cannot support this Bill.

The significance of the Ireland/Northern Ireland Protocol led to a debate of great intensity between MPs from the SDLP and DUP. The SDLP MP, Claire Hanna, addressed the fundamental question of the impact on the Good Friday Agreement: "There has been so much invocation of the Good Friday agreement, in favour and against the measures in the Bill, that I think it bears repeating some of what is and is not contained and implied in that generation-defining agreement. Those who have read the agreement will know that it does not really talk all that much about borders, trade and internal markets, because, frankly, the EU had settled all those things, and in 1998 the prospect of either Government choosing to leave the security, opportunity and prosperity of the EU would have been considered insanity."

EU Legal Action on Internal Market Bill

The EU, from the outset, insisted that the Internal Market Bill "would constitute an extremely serious violation of the Withdrawal Agreement and of international law." The Commission set an initial deadline of the end of September for the UK to remove the objectionable provisions from the Bill. Brussels was studying "all legal options on the table" if the UK failed to act.

Commission President von der Leyen indicated that the EU side would continue to negotiate a trade deal with the UK but with a clear warning that the dispute over the Internal Market Bill would have to be resolved before any agreement could be ratified by EU Member States and the European Parliament.

On 1 October 2020, President von der Leyen issued a press statement noting the EU's intention to bring infringement procedures against the UK:

As you know, we had invited our British friends to remove the problematic parts of their draft Internal Market Bill by the end of September.

This draft Bill is – by its very nature – a breach of the obligation of good faith laid down in the Withdrawal Agreement (Article 5). Moreover, if adopted as is, it will be in full contradiction to the Protocol on Ireland / Northern Ireland.

The deadline lapsed yesterday. The problematic provisions have not been removed. Therefore, this morning, the Commission has decided to send a letter of formal notice to the UK government. This is the first step in an infringement procedure. The letter invites the UK government to send its observations within a month. The Commission will continue to work hard towards a full and timely implementation of the Withdrawal Agreement. We stand by our commitments.

On 1 October 2020, the European Commission sent the United Kingdom a letter of formal notice for breaching its obligations under the Withdrawal Agreement. This move marks the beginning of a formal infringement process against the United Kingdom. The UK has until the end of this month to submit its observations to the letter of formal notice. After examining the UK's observations, or if no observations have been submitted, the Commission may, if appropriate, decide to issue a Reasoned Opinion (a formal request to comply with EU law), before proceeding to other measures.

Withdrawal Agreement Joint Committee. 28 September

The Withdrawal Agreement Joint Committee met for the third time on 28 September 2020. Following the meeting, the Committee Co-Chair, Commission Vice President Maros Šefčovič issued a Press Statement covering the Committee's work on citizens' rights, issues relating to Cyprus and Gibraltar and the financial settlement. On the Protocol on Ireland/Northern Ireland he commented:

Moving to the Protocol on Ireland/Northern Ireland, the window of opportunity to put in place the operational measures needed for it to function is rapidly closing. I have therefore reiterated the urgent need for the UK to accelerate its work on all aspects of the Protocol and in particular with regard to sanitary and phytosanitary controls; customs-related IT systems; and the registration of Northern Irish traders for Value Added Tax purposes.

We welcome that the UK is now engaging on some of the Joint Committee decisions that need to be adopted before the end of the year to fully implement the Protocol. But many difficult issues remain and the UK's positions are far apart from what the EU can accept.

I have repeated the EU's request to withdraw the contentious parts of the draft Internal Market Bill by the end of September. We maintain that the Bill, if adopted in its current form, would constitute an extremely serious violation of the Protocol, as an essential part of the Withdrawal Agreement, and of international law

The Committee Co-Chair, Chancellor of the Duchy of Lancaster, Michael Gove, gave the following summation of the meeting:

The Committee undertook a stocktake of Specialised Committee activity since the second meeting in June and was updated on implementation of the Withdrawal Agreement more generally, including the Northern Ireland Protocol. The UK reiterated the importance of commitment by both sides to upholding obligations under the Withdrawal Agreement and protecting the Belfast (Good Friday) Agreement in all respects. The UK reiterated that the measures set out in the United Kingdom Internal Market Bill are designed to create a 'safety net' to ensure the communities of Northern Ireland are protected. The UK is clear that those measures would not be withdrawn.

State of the Union Address to European Parliament

On 16 September 2020, the President of the European Commission, Ursula von der Leyen, gave her first State of the Union Address to the European Parliament. An in-depth IIEA briefing on the topic can be found [here](#).

In her address, President von der Leyen dealt with a wide range of issues, among them Brexit, the Withdrawal Agreement, the Good Friday Agreement and the controversy surrounding the Internal Market Bill:

That agreement took three years to negotiate and we worked relentlessly on it. Line by line, word by word. And together we succeeded. The result guarantees our citizens' rights, financial interests, the integrity of the Single Market – and crucially the Good Friday Agreement. The

EU and the UK jointly agreed it was the best and only way for ensuring peace on the island of Ireland. And we will never backtrack on that.

This agreement has been ratified by this House and the House of Commons. It cannot be unilaterally changed, disregarded or dis-applied. This a matter of law, trust and good faith. And that is not just me saying it – I remind you of the words of Margaret Thatcher: "Britain does not break Treaties. It would be bad for Britain, bad for relations with the rest of the world, and bad for any future Treaty on trade". This was true then, and it is true today. Trust is the foundation of any strong partnership. And Europe will always be ready to build strong partnerships with our closest neighbours.

Speaking to journalists following her address, President von der Leyen said that "it is time now that our British friends restore the trust in the validity of a signature on a treaty and that we keep going, focused on negotiation because time is running out." She responded to a question on negotiating with partners who break international agreements by saying "In these topics, I think just keep calm and carry on. You need strategic patience."

Section Two: The Evolving Debate

A Border in Kent

The UK will leave the EU customs union and single market on 1 January 2021 and this will bring about major changes in trade rules – whether a new trade deal is agreed or not. A 46 –page paper on a 'reasonable worst-case scenario' prepared for the UK Government warns of queues of up to 7,000 lorries at the port of Dover in Kent waiting to board

cross-channel ferries, two-day delays and passengers waiting for hours to board Eurostar trains. A crucial IT system for hauliers –faced with the need to complete some 275 million new customs declarations annually -has not yet reached the public testing stage. The prospect of a *de facto* 'Brexit Border' in Kent – a 'Kent Access Permit' – is envisaged.

Speaking in the House of Commons, the UK Cabinet Office Minister, Michael Gove, addressed the issues:

Whether we secure a good FTA before January or not, whether we get a Canada-style deal or exit on Australian terms, we will have left the single market and the customs union, and that fact means adjustments for businesses trading with the EU; changes for citizens travelling to the EU; and, of course, new responsibilities for Government in both scenarios.

[...] Our survey evidence indicates that while 78% of businesses have taken steps [to prepare], just 24% believed that they are fully ready. That is why today we are publishing our reasonable worst case scenario planning assumptions, indicating what could happen if we do not all secure improved preparedness. In those circumstances, that could mean that only between 30% and 60% of laden heavy goods vehicles would arrive at the border with the necessary formalities completed for the goods on board. They would therefore be turned back by the French border authorities, clogging the Dover to Calais crossing. In that scenario, flows across the critical short-strait crossings could be reduced by up to 60% to 80%, leading to queues of up to 7,000 HGVs in Kent.

Mr Gove's remarks enraged the UK Road Haulage Association which criticised the Government's attempt to shift blame on to the industry. "We know for a fact that they are only too keen to be ready but how on earth can they prepare when there is still no clarity as to what they need to do?", said RHA chief executive, Richard Burnett.

The Irish Road Haulage Association has highlighted this country's extreme vulnerability to the situation in Kent and Dover since 150,000 Irish lorries use the UK-EU land bridge every year, carrying as much as 40 per cent of Irish exports and 13 per cent of imports with a combined value of more than €25 billion. The Association has urged the Government to help set up a fast, direct daily ferry service with continental Europe, pointing out that Irish lorries will not be able to avoid the queues and delays predicted by Mr Gove arguing that the failure, so far, to plan for ferry services to the continent must be seen as incomprehensible.

Northern Ireland Committee, House of Commons, 14 September

In an exchange between the Committee and the UK Government, the Government addressed issues related to the implementation of the Protocol on Ireland/Northern Ireland:

One consequence of the fact that the Protocol had to solve very complicated issues is that certain elements were left for ongoing discussions after the UK left the EU. It proved impossible in negotiations to resolve some of the detail. Accordingly these provisions were drafted in a broad brush way with the detail left to be resolved in the Joint Committee during 2020. These

talks began in March and continued throughout the summer in a spirit of good faith and mutual respect for the delicate arrangements in Northern Ireland

The Government is extremely confident that the EU is working in good faith and shares our desire to avoid these serious consequences.

Keir Starmer Conference Speech 22 September 2020

The Labour Party Leader gave his first Party Conference Speech by video link. He made particular reference to the need to finalise a deal between the EU and UK:

And on Brexit let me be absolutely clear. The debate between Leave and Remain is over. We're not going to be a party that keeps banging on about Europe, The Prime Minister had repeatedly promised that he will get a deal. So go on and get one.

The grown-up way to deal with Brexit is to negotiate properly and get a deal. British business needs a deal. Working people need a deal. Our country needs a deal. And if the Prime Minister fails to get one he will be failing Britain. If that happens he'll have nobody to blame but himself. And he will have to own that failure. It will be on him. We want to get this deal done, and like everybody else, we're growing tired of the Prime Minister's bluster.

Northern Ireland Assembly Resolution

On 21 September 2020, the Northern Ireland Assembly adopted – by 48-36 – a Resolution on the Ireland/Northern Ireland Protocol, and calling on the British Government to honour its commitments under the Withdrawal Agreement. The resolution read as follows:

That this Assembly acknowledges that the majority of citizens voted to reject Brexit; recognises that the departure from the EU gives rise to substantial political and economic challenges for our society; further recognises that while the protocol on Ireland/Northern Ireland is imperfect, it guarantees that, whatever the circumstances, there will be no hard border on the island and will protect the Good Friday Agreement in all its dimensions, North/South cooperation and the all-island economy; believes it would be entirely unacceptable if the British Government sought to abandon these safeguards and mitigations, as this would amount to a serious betrayal of an existing international treaty; and calls on the British Government to honour their commitments, and to ensure, now, the rigorous and full implementation of the protocol on Ireland/Northern Ireland, prioritise peace and stability, and work to secure a future economic partnership with their EU colleagues now and in the weeks ahead.

Leaders of Stormont's four pro-EU parties – Sinn Féin, SDLP, Alliance and the Green Party – held talks about the implications of the Internal Market Bill with the Minister for Foreign Affairs, Simon Coveney, in Dublin on 24 September. Mr Coveney stressed the

importance of implementing the Protocol fully and in 'good faith'.

Dominic Raab in Washington, September 2020

The UK Foreign Secretary, Dominic Raab, visited Washington for high-level meetings in which he sought to reassure US politicians about Brexit developments.

Mr Raab met the Secretary of State, Mike Pompeo, who said that he had "great confidence" that the UK administration would get the post-Brexit trade negotiations with the EU right "and in a way that treats everyone fairly and gets a good outcome for what it was the people of the United Kingdom voted for, now several years back."

The Foreign Secretary's meeting with the Speaker of the House of Representatives, Nancy Pelosi, produced a statement noting that: "The UK must respect the Northern Ireland Protocol as signed with the EU to ensure the free flow of goods across the border. If the UK violates that international treaty and Brexit undermines the Good Friday accord, there will be absolutely no chance of a US-UK trade agreement passing the Congress."

The Speaker's remarks were followed by a direct warning by the Democratic Presidential candidate, Joe Biden, that there can be no prospect of a US-UK trade deal if the UK allows the Northern Ireland peace process "to become a casualty of Brexit." He tweeted that "Any trade deal between the US and UK must be contingent upon respect for the Good Friday Agreement and preventing the return of a hard border. Period."

US Envoy visits London, Belfast, Dublin

President Trump's special envoy to Northern Ireland, Mick Mulvaney, ahead of a visit to the UK and Ireland, commented that "everyone assures me that no one is interested in seeing a hard border between the Republic and Northern Ireland. We appreciate that, we respect that, and we agree with that. The one thing I keep trying to assure is on the front of everybody's mind is avoiding a border by accident. The Trump administration, State Department and the US Congress would all be aligned in the desire to see the Good Friday Agreement preserved."

Speaking in London, he warned that the UK threat to break the law over Brexit could present a "challenge" to the peace process under the Good Friday Agreement. He told a London think tank that a warning from the Democrat Chairman of the House Ways and Means Committee that the border issue would play a role in determining any UK/US trade deal was "a true statement".

The Minister for Foreign Affairs, Simon Coveney, met the Special Envoy on 28 October and, after the meeting, issued a Statement:

We discussed a number of important issues, including the welcome return to operation of the power-sharing institutions in Northern Ireland earlier this year, the important work that has now resumed on a North-South basis, and the challenges arising in the context of Covid-19 and of Brexit.

I emphasised our real concern at the current approach of the UK Government and the vital importance of the full implementation of the Withdrawal

Agreement and the Protocol on Ireland / Northern Ireland, for the protection of the Good Friday Agreement and the achievements of the peace process. Those achievements were made possible by the sustained engagement of successive US Administrations and Special Envoys, and friends of Ireland across the United States. I appreciate the deep personal commitment that Mick has shown in continuing these vital conversations and contacts which underpin this engagement.

Minister Coveney in Washington, 28-30 October 2020

Over the course of a two-day visit, the Minister for Foreign Affairs, Simon Coveney, availed of opportunities to discuss key priorities, including Brexit, Northern Ireland and Ireland's upcoming tenure on the UN Security Council. The Minister met National Security Advisor, Robert O'Brien, and senior officials from the US Department of State. He met senior members of Congress from both the House of Representatives and the Senate, including Speaker of the House Nancy Pelosi, Chairman of the Ways and Means Committee, Rep. Richard Neal and Republican Congressman Peter King. The Minister also held discussions with the business community, and addressed a virtual event with the Aspen Institute where he insisted that Ireland will not become 'collateral damage' of Brexit.

Section Three: Background Material and Further Reading

Background Material

GOV.UK Joint Statement by the Prime Minister and the President of the European Commission, 3 October 2020. <https://www.gov.uk/government/news/pm-call-with-president-of-the-european-commission-3-october-2020>

European Council Conclusions of Special meeting of the European Council, 1-2 October 2020. <https://data.consilium.europa.eu/doc/document/ST-13-2020-INIT/en/pdf>

GOV.IE Statement by An Taoiseach Micheal Martin on EU Council meeting, Brussels, 1-2 October 2020. https://merrionstreet.ie/en/News-Room/News/Statement_on_EU_Council_meeting.html

European Commission Statement by Michel Barnier following Round 9 of negotiations for a new partnership between the European Union and the United Kingdom, 2 October 2020. https://www.ec.europa.eu/commission/presscorner/details/en/STATEMENT_20_1817

GOV.UK Lord Frost statement after Round 9 of the negotiations, 2 October 2020. <https://no10media.blog.gov.uk/2020/10/02/lord-frost-statement-after-round-9-of-the-negotiations>

European Commission Withdrawal Agreement: European Commission sends letter of formal notice to the United Kingdom for breach of its obligations, 1 October 2020. https://www.ec.europa.eu/commission/presscorner/detail/en/IP_20_1798

European Commission Press statement by President von der Leyen on the implementation of the Withdrawal Agreement between the EU and the UK, 1 October 2020. https://www.ec.europa.eu/commission/presscorner/detail/en/statement_20_1800

European Commission EU Task Force: Agenda for EU-UK Negotiations –Round 9. 22 September – 2 October 2020, Brussels. https://ec.europa.eu/info/sites/info/files/brexit_files/info_site/200925_r9_agenda.pdf

Hansard House of Commons. Debates on UK Internal Market Bill, 14-29 September 2020 <https://hansard.parliament.uk/Commons>

European Commission State of the Union Address by President von der Leyen at the European Parliament Plenary, 16 September 2020. https://www.ec.europa.eu/commission/presscorner/detail/en/SPEECH_20_1655

European Commission Provisional Agenda for the third meeting of the Joint Committee, 28 September 2020. https://ec.europa.eu/info/publications/provisional-agenda-third-meeting-joint-committee_en

Northern Ireland Assembly Resolution on withdrawal agreement. 21 September 2020 <http://data.niassembly.gov.uk/HansardXml/plenary-21-09-2020.pdf>

European Commission Press statement by Vice-President Maros Sefcovic following the third meeting of the EU-UK Joint Committee, 28 September 2020. https://www.ec.europa.eu/commission/presscorner/detail/STATEMENT-20_1766

GOV.UK Meeting of the Withdrawal Agreement Joint Committee on 28 September. <https://www.gov.uk/government/news/meeting-of-the-withdrawal-agreement-joint-committee-on-28-september>

European Commission EU Task Force: Agenda for EU-UK Negotiations – Round 9, 22 September-2 October 2020, Brussels. https://www.ec.europa.eu/info/files/brexit_files/info_site/200925_r9_agenda.pdf

The Guardian Johnson and von der Leyen extend Brexit talks by a month. *Guardian*, 4 October 2020. <https://www.theguardian.com/politics/2020/oct/03/johnson-and-von-der-leyen-extend-brexit-talks-by-a-month>

BBC Brexit: PM and EU chief agree importance of finding trade deal. *BBC*, 3 October 2020. <https://www.bbc.com/news/uk-politics-5439742>

RTE EU in legal action against UK over NI Protocol breach. *RTE*, 1 October 2020. <https://www.rte.ie/news/2020/1001/1168631-taoiseach-brussels-summit/>

RTE Johnson 'optimistic' of Brexit deal ahead of fresh EU talks. *RTE*, 3 October 2020. <https://www.rte.ie/news/world/2020/1003/1169174-uk-eu-brexit/>

Financial Times EU and UK prepare for last ditch Brexit talks. *FT*, 3 October 2020. <https://www.ft.com/content/e1e457a7-e464-4db2-adb5-1504a91e0eaf>

Irish Times UK's Internal Market Bill passes all stages as backbench rebellion collapses. *IT*, 30 September 2020. <https://www.irishtimes.com/news/world/uk/uk-s-internal-market-bill-passes-all-stages-as-backbench-rebellion-collapses-1.4367903>

Irish Times Key week of Brexit Talks between UK and EU start with 'better mood music'. *IT*, 29 September 2020. <https://www.irishtimes.com/news/world/uk/key-week-of-brexit-talks-between-uk-and-eu-start-with-better-mood-music-1.4366430>

The Guardian Business leaders urge UK government to avoid no-deal Brexit. *Guardian*, 28 September 2020. <https://www.theguardian.com/politics/2020/sep/28/business-leaders-urge-uk-government-to-avoid-no-deal-brexit>

Politico Brexit inches forward-just don't mention the tunnel. *Politico*, 28 September 2020. <https://www.politico.eu/article/eu-uk-brexit-talks-inch-forward-just-dont-mention-the-tunnel>

Irish Times UK refuses to back down over controversial Bill as crunch talks begin with EU. *IT*, 29 September 2020. <https://www.irishtimes.com/news/world/europe/uk-refuses-to-back-down-over-controversial-bill-as-crunch-talks-begin-with-eu-1.4366723>

The Guardian Theresa May says 'reckless' Brexit bill risks UK's reputation. *Guardian*, 21 September 2020. <https://www.theguardian.com/politics/2020/sep/21/theresa-may-says-reckless-brexit-bill-risks-uks-reputation>

Politico UK satisfied EU won't block food exports after Brexit. *Politico*, 23 September 2020. <https://www.politico.eu/article/uk-rules-out-brexit-row-over-third-country-listings-for-food-exports/>

Centre for European Reform A Brexit deal may yet emerge from the current confusion, 22 September 2020. <https://www.cer.eu/insights/brexit-deal-may-yet-emerge-current-confusion>

RTE EU chief says EU will 'never backtrack' on Brexit Withdrawal Agreement. *RTE*, 16 September 2020. <https://www.rte.ie/news/europe/2020/0915/1165419-commission-president/>

Politico Ursula von der Leyen calls on UK to 'restore the trust'. *Politico*, 17 September 2020. <https://www.politico.eu/article/von-derr-leyen-to-uk-restore-the-trust/>

BBC Brexit: Dominic Raab seeks to reassure US politicians over Brexit bill. *BBC*, 16 September 2020. <https://www.bbc.com/news/uk-politics-54171571>

Telegraph Boris Johnson signals compromise with Tory rebels on Brexit Bill. *Telegraph*, 16 September 2020. <https://www.telegraph.co.uk/politics/2020/09/15/prime-ministerr-signals-possible-compromise-tory-rebels-brexit/>

RTE Leaked Brexit letter warns of 7,000 trucks queuing in Kent with waits of two days. *RTE*, 23 September 2020. <https://www.rte.ie/news/2020/0923/1166880-no-deal-brexit-v-coronavirus/>.

RTE 7,500 finance jobs have already left London for Dublin and other EU hubs. *RTE*, 1 October 2020. <https://www.rte.ie/news/business/2020/1001/116847-ey-brexit-tracker/>

BBC Brexit trade talks: Deal can and must be made, says CBI boss. *BBC*, 27 September 2020. <https://www.bbc.com/news/business-54312985>

Irish Times No-deal Brexit's economic cost for UK 'could be three times worse than that of Covid'. *IT*, 24 September 2020. <https://www.irishtimes.com/news/world/uk/no-deal-brexit-s-economic-cost-for-uk-could-be-three-times-worse-than-that-of-covid-1.4362808>

Department of Foreign Affairs Statement on EU-UK Negotiations by Minister for Foreign Affairs, Dail Eireann, 24 September 2020. <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2020/september/minister-coveney-dail-statement-on-update-on-eu-uk-negotiations-on-brexit.php>

Department of Foreign Affairs Minister Coveney meets with the leaders of four Northern Ireland parties, 24 September 2020. <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2020/september/minister-coveney-meets-with-the-leaders-of-four-northern-ireland-parties>

Department of Foreign Affairs Minister Coveney meets with US Special Envoy to Northern Ireland, 28 September 2020. <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2020/september/minister-coveney-meets-with-us-special-envoy-to-northern-ireland>

Department of Foreign Affairs Minister Coveney visits Washington DC, 28-30 September 2020. <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2020/september/minister-coveney-visits-washington-dc-php>

IIEA Brexit: The State of Play, 17 September 2020. <https://www.iiea.com/brexit/brexit-blog/brexit-the-state-of-play-september-2020/>

Tony Connelly Brexit talks: Optimism falters ahead of the tunnel. *RTE*, 3 October 2020. <https://www.rte.ie/news/brexit/2020/1002/1169093-brexit-clock-ticking/>

Tony Connelly Brexit: The dilemma of the 'loaded gun'. *RTE*, 19 September 2020. <https://www.rte.ie/news/2020/0918/1166083-brexit-johnson-us-internal-markets-bill/>

Tony Connelly Brexit: A tangle of high wire deadlines and ultimatums. *RTE*, 26 September 2020. <https://www.rte.ie/news/2020/0925/1167545-tony-connelly-brexit/>

Financial Times Trump's Northern Ireland envoy issues border warning. *FT*, 18 September 2020. <https://www.ft.com/content/e71b7301-4b35-4a13-bee2-f9446b438e05>

Politico Pelosi: 'Absolutely no' US trade deal if UK breaks Brexit pact. *Politico*, 9 September 2020. <https://www.politico.eu/article/nancy-pelosi-absolutely-no-us-trade-deal-if-uk-breaks-brexit-pact/>

BBC Biden says US trade deal hinges on UK 'respect' for Good Friday Agreement. *BBC*, 16 September 2020. <https://www.bbc.com/news/uk-politics-54171571>

Irish Times Brexit: Irish hauliers seek State help to bypass UK 'land bridge'. *IT*, 21 September 2020. <https://www.irishtimes.com/news/ireland/irish--news/brexit-irish-hauliers-seek-state-help-to-bypass-uk-land-bridge-1.4359886>

Irish Times Tanaiste urges businesses to brace for Brexit with 100 days to go. *IT*, 23 September 2020. <https://www.irishtimes.com/business/economy/tanaiste-urges-businesses-to-brace-for-brexit-with-100-days-to-go-1.4361621>

Irish Times Ireland faces devastating blow due to our failure to develop ferry services to Europe. *IT*, 25 September 2020. <https://www.irishtimes.com/opinion/ireland-faces-devastating-blow-due-to-our-failure-to-develop-ferry-services-to-europe-1.4363802>

Irish Times Ireland will not be Brexit 'collateral damage', says Coveney in Washington. *IT*, 30 September 2020. <https://www.irishtimes.com/news/world/us/ireland-will-not-be-brexit-collateral-damage-says-coveney-in-washington-1.4367684>

Irish Times Trump envoy plays down risk of UK's contentious Brexit bill to North peace. *IT*, 29 September 2020. <https://www.irishtimes.com/news/ireland/irish-news/trump-envoy-plays-down-risk-of-uk-s-contentious-brexit-bill-to-north-peace-1.4366442>

Irish Times Irish food trade could slide by one-third if EU and UK fail to cut deal. *IT*, 1 October 2020. <https://www.irishtimes.com/business/agribusiness-and-food/irish-food-trade-could-slide-by-one-third-if-eu-and-uk-fail-to-cut-deal-1.4368738>

Irish Times Some business 'mistakenly believe Brexit will not happen' – Revenue. *IT*, 2 October 2020. <https://www.irishtimes.com/business/some-business-mistakenly-believe-brexit-will-not-happen-revenue-1.4369495>

Further Reading

O'Toole, Fintan Three Years in Hell. The Brexit Chronicles. Head of Zeus.

Wall, Stephen Reluctant European. Oxford UP

The Institute of International and European Affairs (IIEA) is Ireland's leading international affairs think tank. Founded in 1991, its mission is to foster and shape political, policy and public discourse in order to broaden awareness of international and European issues in Ireland and contribute to more informed strategic decisions by political, business and civil society leaders.

The IIEA is independent of government and all political parties and is a not-for profit organisation with charitable status. In January 2017, the Global Go To Think Tank Index ranked the IIEA as Ireland's top think tank.

© Institute of International and European Affairs, October 2020

Creative Commons License

This is a human-readable summary of (and not a substitute for) the license.

<https://creativecommons.org/licenses/Attribution-NonCommercial-ShareAlike/4.0/> 4.0 International (CC BY-NC-SA 4.0)

You are free to:

- Share - copy and redistribute the material in any medium or format
- Adapt - remix, transform, and build upon the material
- The licensor cannot revoke these freedoms as long as you follow the license terms.

Under the following terms:

Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.

NonCommercial — You may not use the material for commercial purposes.

ShareAlike — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.

No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.



The IIEA acknowledges the support of the Europe for Citizens Programme of the European Union



The Institute of International and European Affairs,

8 North Great Georges Street, Dublin 1, Ireland

T: +353-1-8746756 F: +353-1-8786880

E: reception@iiea.com W: www.iiea.com