

British-Irish
Parliamentary
Assembly



Tionól Parlaiminteach
na Breataine agus
na hÉireann

Report

Consolidating the bilateral relationship between the UK and Ireland

Committee A (Sovereign Matters)



1. The British-Irish Parliamentary Assembly plays a key role in promoting cooperation between political representatives in the UK and Ireland. Committee A is responsible for considering sovereign matters. Over the last ten years, we have examined and made recommendations on the implementation of the Good Friday/ Belfast Agreement; extradition and transfer of prisoners; cross border police co-operation; and freedom of movement between Britain and Ireland.¹
2. The strength of the bilateral relationship between Ireland and the United Kingdom is fundamental to peace and stability in Northern Ireland and to prosperity and harmony across these islands. It is of key strategic importance to both nations and our interconnected histories, cultures, and economies make it vital that UK and Irish governments, institutions, and politicians are able to work together in a spirit of friendship, understanding, and cooperation.
3. It is clear, however, that the UK's withdrawal from the EU has affected this vital relationship, including many of the practical ways in which it was maintained. UK and Irish Ministers and officials who previously met frequently during EU Council meetings and through other EU institutions no longer have those regular and routine, formal and informal opportunities to build personal relationships and discuss issues of mutual concern. For 45 years, Ireland and the UK shared a common framework that brought integration to laws and regulation, whereas the relationship will now have to manage a much greater degree of divergence. It is accepted by both governments that the impact and consequences of change, including the need to protect Northern Ireland and the Belfast / Good Friday Agreement, have strained relationships across the islands. Moreover, the bilateral relationship faced further challenges as the covid-19 pandemic reduced opportunities for face-to-face meetings in the post-Brexit period.
4. The sad occasion of the death of Her Majesty Queen Elizabeth II was a moment to reflect on what was a high point for British-Irish relations in 2011. In her speech at

¹ [British-Irish Parliamentary Assembly | Committee A Reports \(britishirish.org\)](https://britishirish.org/committee-a-reports/)



the Irish State Banquet, her late Majesty spoke of the strength of the relationship between the UK and Ireland:

No-one who looked to the future over the past centuries could have imagined the strength of the bonds that are now in place between the governments and the people of our two nations [...] So we celebrate together the widespread spirit of goodwill and deep mutual understanding that has served to make the relationship more harmonious, close as good neighbours should always be.²

This spirit of friendship evidently endures and will do so even as our countries navigate difficult political disagreements. Ireland was the only country to be represented by its President and Taoiseach at the funeral of the Queen in September 2022 and President Michael D Higgins was the first Head of State to meet King Charles III.

5. We believe now is the right time to focus on the more fundamental basis of UK and Irish cooperation and to address key practical aspects of the bilateral relationship. We need stronger links that will bind us together as we take different paths.
6. In February 2021, we decided to undertake an inquiry on *Consolidating the bilateral relationship between the UK and Ireland*. This report is based on the evidence gathered in that inquiry and offers suggestions for improving the bilateral relationship in the post-Brexit era. The report recognises the important role of interpersonal relationships and offers a number of recommendations to improve the vitally important bilateral relationship. In particular, our inquiry has focused on:
 - a. *Ministerial relationships*: to consider the need for the establishment of new formal and informal settings to replicate the regular interactions between UK and Irish Ministers and officials that previously took place during EU Council meetings and in other EU institutions;

² [A speech by The Queen at the Irish State Banquet, 2011 | The Royal Family](#)



- b. *Inter-Parliamentary cooperation*: to consider how the UK Parliament, Oireachtas and other BIPA-member parliaments can work together differently to promote the bilateral relationship;
 - c. *British-Irish Council (BIC) and the British-Irish Intergovernmental Conference (BIIGC)*: to consider whether these Belfast / Good Friday Agreement bodies continue to provide appropriate and robust structures for regular meetings at heads of government, Ministerial and senior Official levels and to take forward agreed programmes of work on matters of practical cooperation.
7. In July 2021, we took evidence from Adrian O’Neil, Irish Ambassador to the United Kingdom and Paul Johnston, United Kingdom Ambassador to Ireland. In September 2022, we held a series of meetings in Dublin, including with the Minister of State for European Affairs, Thomas Byrne TD; Laurence Simms, Joint Secretary, British-Irish Intergovernmental Conference; Dr Etain Tannam, Trinity College, Dublin; Dr Paul Gillespie, University College Dublin; and John McGrane, Director General, Paul Lynam, Deputy Director General and Director of Policy, Aidan O’Farrell, Policy and Public Affairs Advisor, at the British Irish-Chamber of Commerce. We also received written evidence from the British-Irish Association; the British-Irish Council Secretariat; and Professor Katy Hayward and Dr James Greer.
8. The Committee wishes to extend its sincere thanks to all those who assisted with this inquiry.

The strength of the bilateral relationship

9. In all of our meetings, we heard an overwhelming consensus on the need for the bilateral relationship to work. In particular, several witnesses emphasised how the relationship between the UK and Ireland is of critical importance to peace and stability in Northern Ireland. The British Irish-Chamber of Commerce also noted the importance of a stable and positive bilateral relationship for trade and employment.



10. Interpersonal relationships are at the heart of the bilateral relationship. Close, often informal contacts, between ministers are central to ensuring that both sides understand each other's concerns and can work together effectively on matters of mutual interest. Indeed, Minister of State Thomas Byrne reminded the Committee of how the personal relationship built between Tony Blair and Bertie Ahern was critical to the peace process that led to the Belfast/Good Friday Agreement, which was followed by David Cameron and Enda Kenny.

11. The loss of the informal opportunities for engagement that arose from common membership of the European Union has been keenly felt. Indeed, in the evidence gathering session with the UK and Irish Ambassadors, they outlined how Ministers and Officials would meet each other on a regular basis at European meetings, where they could have informal conversations. For instance, the Prime Minister and the Taoiseach met most frequently at EU Council meetings, rather than in London or Dublin. Moreover, in Brussels, the Irish and the UK delegations had been next door to each other, which presented a significant number of opportunities to build informal relationships. Members who had previously been Ministers told us how important these informal relationships were to cooperation across a range of policy matters.

12. Several of our witnesses told us that these opportunities were lost since the UK left the EU. We heard from Minister of State Byrne that it would be in the interests of UK Ministers and officials to find new ways to re-establish these informal, personal relationships with other countries; not only with Ireland.

13. There were also mutual interdependencies arising from EU membership in law and regulation, and common membership of ECHR. As Prof Hayward and Dr Greer told us in their written evidence, the EU provided a "single framework" through which both the UK and Ireland operated. Indeed, as Mr Simms told the Committee, the importance of the European Union went beyond providing an opportunity for regular meetings because, when both the UK and Ireland were members of the EU there were



vast areas of policy that were done at an EU level. On many of these policy areas, there is still a requirement for a co-ordinated approach from both Governments.

14. This is not to say that there are no strengths to the current bilateral relationship. We heard examples of successful people-to-people links between UK and Irish officials and Ministers, enduring trade connections, and frequent contact between the Prime Minister and Taoiseach. Witnesses, including the Ambassadors, academics, and Minister of State Byrne, also spoke of a high level of ministerial level contact on topics such as health, foreign policy and Northern Ireland. However, we also heard that a strategic approach was not always applied to contacts that occur. Instead, they were often episodic and in reaction to particular events or divergences, as opposed to being focused on building relationships.
15. It is clear that there have been significant points of divergence in the existing bilateral relationship in the recent past. Chief amongst these is Brexit and the Protocol on Ireland and Northern Ireland. At a number of the evidence gathering sessions, there was significant focus by both members and witnesses on the consequences of Brexit, and it is clear that both Governments have different views on Brexit.
16. While negotiations on the Protocol on Ireland and Northern Ireland are between the EU and the UK, and therefore outside of the scope of this inquiry and the remit of the Committee, it is clear that they continue to exert a significant negative effect on relations between Ireland and the UK. Members and witnesses expressed their desire for agreement to be reached at the earliest possible opportunity. Minister of State Byrne told the Committee that the UK and the EU were not far apart on finding a solution and that he was anxious to see a settlement that delivered stability. It was felt by a number of witnesses, that there was a need to resolve the immediate challenges in the relationships, such as the outworkings of Brexit, before the focus could turn to building the relationship.
17. It is also important to recognise the impact of internal debates on each other's countries. Academic contributors told us that internal constitutional debates within the



United Kingdom might have an impact on Ireland, and that as such both Governments needed to be cognisant of the potential effect of domestic politics on the bilateral relationship.

18. Beyond Brexit, the pandemic significantly reduced the opportunities for in-person engagement there would have been more in-person meetings between the Taoiseach and the Prime Minister were it not for the pandemic. However, the response to the Covid-19 pandemic also created a system of co-ordination and discussion between the UK, Irish, and Northern Irish governments.

Conclusion

- A. The strength of the bilateral relationship between the UK and Ireland is of fundamental importance to both countries. The enduring friendship between our islands is clear, despite the political challenges arising from the UK's withdrawal from the European Union. But the practicalities of cooperation require more than good will. Brexit altered the political relationship between the UK and Ireland and affected how our officials and Ministers interact. The framework in which policy, legislation and regulation is developed is now different. There are now fewer opportunities to discuss matters of mutual interest and build personal relationships. We believe that it is vital that our governments urgently find new ways to build understanding and promote cooperation between Ministers and officials in the UK and Ireland.**

Structures for cooperation

19. Having established that the bilateral relationship requires improvement, our inquiry moved on to consider the adequacy of existing structures for cooperation between the UK and Ireland and whether new institutions or processes would need to be established to provide the foundations for an improved bilateral relationship.



20. The Committee considered the role of several existing structures for co-operation, including the British-Irish Council (BIC) and British-Irish Intergovernmental Conference (BIIGC), both of which were established as a part of the Belfast/Good Friday Agreement. We also looked at the work of the British-Irish Association and our own body, the British-Irish Parliamentary Assembly.
21. In addition, at the meeting with the Ambassadors, the Committee considered a number of alternative models for bilateral co-operation, including the Franco-British model, which includes a regular summit between the two countries as a means of bringing the Taoiseach, the Prime Minister and other members of cabinet together. The first British-Franco Summit was held in 1976. The most recent summit was held in 2018 and the next will be held in 2023 following a five year gap that arose from the pandemic and disputes over the AUKUS deal.³ However, several witnesses, including Dr Tannam, Dr Gillispie, and Mr Simms, told us that the most effective way to promote the relationship was through the existing formal structures of bilateral engagement, especially those provided for in the Belfast/Good Friday Agreement. The scale and the scope of the relationship is also too wide and complex for one structure to manage.
22. The Committee heard of the need to proactively create a framework that ensures that engagement between Ministers in both Governments continues. This framework should recognise that informal contacts are vitally important and that they should be cultivated. There was also a general recognition of the need to move from episodic contacts to a pattern of relationships.
23. In particular, we heard that there was significant potential to do more using the existing structures of the BIC and BIIGC. We were told that these have not yet been used to their fullest extent and that a more flexible approach could use them to address the wider east-west relationship. It was keenly felt throughout the enquiry that not enough consistent emphasis was put on developing all strands of the Belfast/Good

³ [UK-France Joint Statement: 6 October 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/uk-france-joint-statement-6-october-2022)



Friday Agreement over the years, with much of the focus going on power-sharing. Dr Tannam commented that if the Agreement had been worked in the way it had been intended, we wouldn't be in the current situation. Nevertheless, any increased use of the formal structures provided for in the Belfast/Good Friday Agreement must be cognisant of the constraints on how Strand Three mechanisms can be used.

Conclusion

- B. The most effective way to promote the bilateral relationship between the UK and Ireland is through putting structure on existing mechanisms and stronger interpersonal relationships between Ministers and officials. There is little to be gained from introducing new structures to an already complex system.**

- C. There is significant untapped potential in existing structures for cooperation. In particular, the Committee notes the vital importance of the Belfast/Good Friday Agreement. It is the most important achievement of the UK and Irish Governments, as well as the Parties in Northern Ireland. The Committee calls for the institutions, principles and values of the Agreement to be worked and upheld to their full potential by all stakeholders with a commitment, permanency and vigour that has been lacking.**

British-Irish Intergovernmental Conference

24. The BIIGC is provided for under Strand Three of the Good Friday Agreement. The Conference brings together the Governments to promote bilateral co-operation on matters of mutual interest within their competences, which excludes matters that have been devolved to the Northern Ireland Assembly and Executive. The Conference may meet at Summit level (Prime Minister and Taoiseach), but in general is co-chaired by the Minister for Foreign Affairs and Secretary of State for Northern Ireland, accompanied as appropriate by the Minister for Justice and Equality and Ministers of State at the Department of Foreign Affairs and the Northern Ireland Office, and their officials/advisors.



25. Where issues of mutual concern to the two governments arise in relation to Northern Ireland matters, the Good Friday Agreement provides for “regular and frequent meetings” of the Conference. The Irish Government may put forward views and proposals on non-devolved Northern Ireland matters at these meetings, which would also include consideration of all-island and North-South co-operation (on non-devolved issues).

British-Irish Council

26. The British-Irish Council is provided for under Strand Three of the Good Friday Agreement and brings together: the Irish Government; UK Government; Scottish Government; Northern Ireland Executive; Welsh Government; Isle of Man Government; Government of Jersey and Government of Guernsey to “promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands”. The Council has 11 work sectors, which are currently: Collaborative Spatial Planning, Creative Industries, Digital Inclusion, Early Years Policy, Energy, Environment, Housing, Indigenous, Minority and Lesser-Used Languages, Drugs and Alcohol, Social Inclusion, and Transport. The Council allows Ministers to consult, share expertise and build strong partnerships. Member Administrations meet regularly throughout the year, including when Heads of Administration and Ministers come together at biannual summits.

27. Across the work sectors, Ministers, officials and, when relevant, invited stakeholders, collaborate across a range of social, economic and environmental topics. The Council also hosts conferences, seminars and study visits for experts in particular fields related to the Council’s current work programme.

Conclusion

D. The British-Irish Council and British-Irish Intergovernmental Conference have not been utilised to their fullest extent. With appropriate flexibility from the UK



and Irish Governments, these bodies could play a key role in cementing the east-west relationship.

- E. In particular, the British Irish Intergovernmental Conference should take a more structured approach to its meetings:**
- a. In the first instance, the BIIGC should meet at least twice a year at summit level. These meetings should include the opportunity for respective Ministers to host breakout meetings.**
 - b. There should be a consistent pattern of meetings of Ministers outside of the BIIGC, where issues under its remit can be progressed between meetings.**
 - c. The British Irish Intergovernmental Secretariat (BIIGS) should ensure that the BIIGC engages with a broad range of issues, and not just crisis issues. It should engage a broad range of thematic sectors, to ensure that it covers a wide spectrum of inter-governmental interests.**
 - d. The BIIGS should ensure that the BIIGC contributes to building positive relationships.**
- F. Reforms could be supplemented by other processes, which ensure that regular contact supplements formal meetings of the Strand Three institutions. For instance, this could include the restarting of a regular process whereby heads of government departments in Ireland met with their UK counterparts.**
- G. The BIC should hold more regular meetings that have a greater emphasis on a wider array of thematic issues, including economic issues. This should be attended by premiers and ministers. They should ensure that they exchange information with and co-operate with BIPA on reports and work.**



H. Increased resources should be provided for the secretariats of both the BIIGC and the BIC if necessary.

British-Irish Association

28. The Committee also heard from the British Irish Association, which is a civil society organisation. It hosts annual conferences in Oxford or Cambridge that are attended by senior British and Irish political figures, officials, and representatives of civil society and of the business community. These conferences, held under Chatham House rules, provide a space for discussion that can be more candid and informal than at other forums.
29. In their evidence, the British Irish Association noted the changing focus of discussions at their conferences. Prior to the Scottish independence referendum in 2014 the vast majority of discussions were about Northern Ireland. Following 2014, they have covered constitutional issues that relate to all four nations of the UK as well as Ireland. In their opinion, Brexit has added an extra layer of complexity to discussing these issues.

British-Irish Parliamentary Assembly

30. We also felt it was also right to consider how our own organisation, the British-Irish Parliamentary Assembly (BIPA), could help to promote the bilateral relationship between the UK and Ireland.
31. BIPA was established in 1990 as a link between the Houses of Parliament and the Houses of the Oireachtas, and has since expanded to include the Scottish Parliament, the Welsh Assembly, the Northern Ireland Assembly, the High Court of Tynwald and the States of Guernsey and Jersey. BIPA has four Committees, which are tasked with examining a range of issues concerning the relationship between Britain and Ireland.
32. Several witnesses told us that BIPA played a vital role in building mutual understanding between parliamentarians in the UK and Ireland. We heard calls for BIPA plenaries to have clear thematic focuses, such as energy or health cooperation,



during which Members could discuss matters of mutual concern in detail. This could also be an opportunity for relevant Ministers and officials to participate in BIPA plenaries, creating a new forum for relationship building.

33. Furthermore, from the Secretariat of the BIC we heard recommendations that BIPA should consider formalising, and expanding, its interactions with the BIC as a means of increasing mutual awareness between both groups of current areas of work, and thus offering the opportunity to identify where increased engagement would be of mutual benefit.
34. BIPA and the BIC, as Prof Hayward and Dr Greer wrote, are uniquely placed as inclusive forums to further improve bilateral relations, because they connect legislators and governments across Great Britain and Ireland, including the devolved UK institutions and the crown dependencies in a way unlike the other existing structures of co-operation. Moreover, Brexit means that there is a strong and imminent prospect of a substantial increase in complex and divergent legislation, often with implications cutting across jurisdictions.

Conclusion

- I. **We recognise the important role that the British-Irish Parliamentary Assembly has to play in building the informal relationships that help to promote cooperation between the UK and Ireland. While BIPA should remain a forum for parliamentarians, rather than Ministers, it is right to consider how BIPA could take a more active role in promoting the bilateral relationship.**
- J. **BIPA plenaries could take a more thematic approach to its plenaries. Entire plenaries could be focused on one or two particular issues, such as energy or health cooperation. Such a thematic approach would allow BIPA to contribute to shaping policy on matters of mutual concern and provide a venue for Ministers and officials to meet. We urge development of institutional capacity in BIPA to**



ensure that it has the expertise to appropriately address sector-specific, complex, and evolving bilateral concerns on a thematic basis.

- K. BIPA could play an important role in scrutinising new complex and divergent legislation, and feeding back to their respective parliaments and assemblies information on concerns that cross jurisdictional boundaries.**
- L. BIPA provides a vital space for parliamentarians from across the UK and Ireland to build personal relationships and mutual understanding, doing so primarily through its two annual plenary sessions. Such is its value, several witnesses and members expressed their view that there would be value in meeting more frequently. Consideration should therefore be given to increasing the number of BIPA meetings and events.**
- M. Recognising the centrality of the Belfast/Good Friday Agreement to the bilateral relationship and to peace on these islands, we note the upcoming 25th Anniversary. We also note the explicit place given to BIPA, through its predecessor, in the Agreement. We call on BIPA to ensure that the Assembly marks the Anniversary of the Agreement in an appropriate format, whether this is a special event held in April 2023, or an event held at the next plenary session.**
- N. The Department of Foreign Affairs and the Foreign, Commonwealth and Development Office should keep a record of, and report upon to BIPA, the number of and substance of the totality of bilateral meetings.**