

# **BRITISH-IRISH PARLIAMENTARY ASSEMBLY**

## **SIXTY-FIRST PLENARY SESSION**

*Monday 28 February 2022*

*The Assembly met at 9.31 am.*

### **PLENARY BUSINESS**

#### **The Co-Chair (Brendan Smith TD):**

The Assembly is now in public session.

Could I ask Members, when they are invited to contribute from the floor, to clearly state their name and legislature? If possible, Members are encouraged to stand when speaking as this will support the broadcast of the Assembly, which is live via the UK Parliament YouTube channel. If Members prefer, they may of course remain seated when speaking.

We are in the happy position where the measures put in place to minimise the risk of the spread of covid on the parliamentary estate are in the course of being relaxed. Members are nevertheless encouraged to wear a face covering when not speaking. Finally, and noting that proceedings are public and being broadcast, may I remind Members that the proceedings of this body do not attract parliamentary privilege?

Members, I want to welcome you all here to our plenary meeting. We are delighted to be holding this 61st plenary session of the British-Irish Parliamentary Assembly in the historic surroundings of the Palace of Westminster. This is our first in-person BIPA plenary since the onset of the covid-19 pandemic. We had our first ever virtual plenary in February 2021, and while it was wonderful that technology allowed us to get together virtually and conduct BIPA's business, today is a welcome return to in-person meetings to conduct the important business of the Assembly.

As you know, the British-Irish Inter-Parliamentary Body was established in 1990, and we have seen a lot of change in the intervening years. BIPA has become an important body for strengthening inter-parliamentary relations not just between the UK and Ireland but with the other BIPA jurisdictions. I hope that as we move forward, the work of BIPA will continue to grow and develop and that the links and connections between all BIPA jurisdictions will flourish and thrive.

You have all been circulated with an up-to-date list of our Assembly's membership. We have received apologies from the following. Irish Members: Patrick Costello TD; Peter Fitzpatrick TD; Mattie McGrath TD; John Paul Phelan TD; Senator Frances Black; and Senator Vincent P Martin. British Members: Gregory Campbell MP; Lord Donoughue; Lord Murphy; and Rosie Cooper MP. From the devolved Administrations: Willie Coffey MSP; Andrew Muir MLA; Deputy Al Brouard; and hon. Juan Watterson, Speaker of the House of Keys.

I would first like to offer condolences to the family of Sir David Amess. He was an Associate Member and friend of the British-Irish Parliamentary Assembly. Again, I wish to extend our sincere sympathies to his wife Julia, his children David, Katherine, Sarah, Alexandra and Florence, all the members of his extended family and, indeed, his colleagues in Westminster.

I should also like to offer condolences to the family of Christopher Stalford, the Principal Deputy Speaker of the Northern Ireland Assembly, who was so recently tragically taken from us at a very young age. Our sincere sympathies are extended to his wife Laura, his children Trinity, Oliver, Cameron and Abigail, and all members of his extended family.

**The Co-Chair (Andrew Rosindell MP):**

Thank you, Co-Chair Brendan. My Lords, ladies and gentlemen, as Co-Chair of the British-Irish Parliamentary Assembly, I would first like to welcome you here to our first in-person meeting since the start of the pandemic. I am sorry that the meeting was postponed in October, and I ask for your understanding as to why that happened. The day before the Assembly was due to convene, our dear friend and colleague Sir David Amess was murdered. He had been the Member of Parliament for Basildon, and then for Southend West, since 1983—38 years of serving in this House. It was a tragic day for us all. David was a man who had friends on all sides of the Chamber. He was a man of integrity, a true lover of this country and a patriot, and we miss him very dearly. Today we meet in the aftermath of that tragic occurrence, and I thank you all for your kind words of sympathy and for the generosity shown to all of us, and to David's wife, following his murder. I particularly thank my Co-Chair Brendan for the heartfelt message he sent me, on behalf of the Assembly, the day after the murder.

We gather here today in London. The British-Irish Parliamentary Assembly is back, but we remember those who we have lost. We have also spoken about Christopher Stalford, and I thank you for the kind words about that gentleman, whom I personally did not know. We remember two friends today, and I ask you to please be upstanding for one moment as we remember both Sir David and Christopher.

*The Assembly observed a one-minute silence.*

**ADOPTION OF PROPOSED PROGRAMME OF BUSINESS**

**The Co-Chair (Andrew Rosindell MP):**

Thank you very much, ladies and gentlemen. Good morning to you all, and welcome to London for our Assembly. It is lovely to see you all back.

We want to adopt the programme of business, and I am delighted to welcome so many of you here today—some for the first time. There are many new Members of our British-Irish Parliamentary Assembly. It is lovely to see so many new faces, and Brendan and I look forward to working with you in the coming months and years ahead. I believe that Members will have received a copy of the business today; you should have a programme in front of you. This was agreed yesterday by the Steering Committee.

During this plenary, we will be focusing some of our discussions on the urgent challenges facing us as parliamentarians. The most urgent challenge facing all parliamentarians across Europe and, indeed, the world today is of course the horrific situation that we now see in Ukraine: the shocking and unprovoked assault on an independent nation by the forces of Vladimir Putin and the Russian Federation. Colleagues, the Steering Committee was unanimous yesterday that the Assembly should be given the opportunity to send a strong and unequivocal message of support to the people of Ukraine and the country's democratic institutions. That is why, as the very first item of business, the Steering Committee has

proposed that the Assembly adopt the resolution on Ukraine that should be before you this morning. While our business programme, which has several invited speakers whom you will wish to question, does not allow a debate to be scheduled, colleagues will note that the Ministers for Europe of the Governments of both the United Kingdom and Ireland will address the Assembly today. That will give us the opportunity to ask questions and raise the issue of Ukraine.

After the Assembly has decided on the resolution on Ukraine, we will hear an address from the Rt Hon James Cleverly MP, who is the Minister for Europe and North America. After that, the Rt Hon Conor Burns MP, Minister of State for Northern Ireland, will address the Assembly. We will then hear from Thomas Byrne TD, the Minister of State for European Affairs in the Government of Ireland, followed by the Rt Hon Sir Keir Starmer MP, Leader of Her Majesty's Official Opposition. In the afternoon, the Rt Hon Sir Jeffrey M Donaldson MP, Leader of the Democratic Unionist party, will address the Assembly followed by John Finucane MP, representing Sinn Féin.

The business of the Assembly will conclude with updates from the BIPA Committee Chairs A, C, and D where John Lahart TD will also present Committee B's report to the Assembly entitled "Interim Report: Vaccine Roll-Outs". We expect the 61st Plenary session to conclude at around 3.00 pm.

Given we have a full agenda, I request that all Members keep their questions and contributions as short and succinct as possible. Ladies and gentlemen, it is my pleasure now to invite Vice-Chairman of the British-Irish Parliamentary Assembly, Karin Smyth MP, to formally move the adoption of the proposed programme of business to be agreed.

**Karin Smyth MP:**

I echo your comments, Co-Chair, particularly welcoming people to London. It is delightful to see everybody. I beg to move that that the Assembly adopt the programme as suggested by the Steering Committee.

*Programme of Business agreed.*

**UKRAINE**

**The Co-Chair (Brendan Smith TD):**

Colleagues, the first item of business is the motion, as Andrew said, on Ukraine, proposed by the Steering Committee. I call Brendan Howlin TD to move the motion formally, and then we will put the question to the Assembly without debate.

**Brendan Howlin TD:**

I beg to move,

That this Assembly condemns in the strongest terms the attack by President Vladimir Putin and the Russian Federation on Ukraine; stands in solidarity with the Verkhovna Rada and all democratically elected representatives of the Ukrainian people; unreservedly supports the freedom of the people of Ukraine; and underlines its support for Ukraine's sovereignty, freedom and territorial integrity, and the right of the people of Ukraine to determine their own destiny.

**The Co-Chair (Brendan Smith TD):**

Thank you. Colleagues, is that motion agreed?

*Question put and agreed to.*

**The Co-Chair (Brendan Smith TD):**

Agreed unanimously. Thank you, colleagues. Our Clerks will arrange for the text of the resolution to be sent to the ambassadors of Ukraine to Ireland and to the United Kingdom, and to the Speaker of the Ukrainian Parliament.

**The Co-Chair (Andrew Rosindell MP):**

We have a little bit of a gap while we wait for James Cleverly to arrive. I think he is in the other room having a bilateral meeting with Minister Byrne, so I am sure he will be here in a moment.

I can give a few announcements before the Minister arrives. We are going to have a group photograph later on, which will be immediately after the morning session and before we go to lunch. Please do not rush to lunch; please hang around for our historic group photograph in Westminster Hall, which will be on the stairs leading up to the IPU and CPA room. Please do not go straight to lunch, but wait for the group photograph. It is, in fact, the first time ever that the British-Irish Parliamentary Assembly has met within the precincts of the Palace of Westminster, so it will be a memorable photo and please stay for it.

We go to lunch straight afterwards in the Cholmondeley Room in the House of Lords, and I and others will guide you down if you don't know the route.

I think the Minister has now arrived.

**ADDRESS BY THE MINISTER FOR EUROPE AND NORTH AMERICA**

*9.45 am*

**The Co-Chair (Andrew Rosindell MP):**

Ladies and gentlemen, it gives me great pleasure to welcome the Minister for Europe and North America, the right hon. James Cleverly MP. James has taken up this role only fairly recently, having previously been Minister for the Middle East and North Africa. Prior to that, he was chairman of the Conservative party. He is the Member of Parliament for Braintree in the great county of Essex, which is the county that I am a Member of Parliament for, so it gives me extremely great pleasure to welcome James to our British-Irish Parliamentary Assembly this morning and to invite him to address us.

**The Minister for Europe and North America (Rt Hon James Cleverly MP):**

Andrew, thank you very much. Good morning, friends and colleagues. It is a genuine pleasure to be here today in my new capacity as Minister for Europe and North America. I am sure that everybody will want to join me in—I don't know whether this has already been done; I suspect that it has been—paying tribute to Sir David Amess, who was of course a great friend to so many of us. We also extend our sympathies to the family, friends and colleagues of Christopher Stalford.

I am glad that my counterpart, Thomas Byrne, is with us here today. They say you should never start a speech with an apology, so I apologise for starting a speech with an apology. Thomas and I were so enthralled by our discussions that we overran ever so slightly, so I do

apologise for being a little bit late. I thank the Co-Chairs, Brendan Smith and Andrew Rosindell, for putting on this event. A strong working relationship between Dublin and Westminster is of course incredibly important. It is great to have colleagues here from the Westminster Parliament but also from Scotland, Wales, Northern Ireland and, I believe, Jersey, Guernsey and the Isle of Man even. *[Interruption.]* Fantastic. It is genuinely great to have the whole of the islands represented here and celebrating the strength of the relationship.

These are, however, dark days, following Russia's invasion of Ukraine. Putin's violence has brought into sharp relief the importance of our close friendship and the power that, collectively, we can bring to bear to address those challenges. It is heartening to see that both the UK and Ireland have spoken with one voice in condemning Putin's attack on a free, sovereign, democratic European state. We have already seen that Putin is attempting to portray the west as divided and trying to lie and deceive in an effort to sow division among us. I have no doubt that he will fail, because what we have seen instead is that we are working more closely together than perhaps ever, and no doubt that he will pay for his aggression.

I welcome the remarks from your Tánaiste last week. Ireland's unwavering and unconditional support is so incredibly important. I am enormously grateful for the close working relationship that the UK and Ireland have, both as fellow UN Security Council members and in the OSCE. We will continue to stand together against violence and tyranny.

Obviously, I also need to address a few words on some of the shared problems and challenges that we have closer to home. Whatever the headlines say about the debate over the Northern Ireland protocol, the truth is—Thomas and I discussed this—ultimately, we share the same goal, which is ensuring that there is peace and prosperity in Northern Ireland. Together, we will deal with those challenges as friends, and we will do it through dialogue, partnership and ever-closer working. That is exactly why this organisation is such an important forum, and the conversation it enables is a fantastic way to build on the relationships between politicians throughout Britain, Ireland and the common travel area.

I welcome the work done by BIPA and its Committees, with Members from across parliamentary assemblies—for instance, the Economic Committee's investigation into post-Brexit trading relations. This is tough, detailed work, with many hours spent looking through long, dry, technical documents, and I thank you for doing it, because it is tough but incredibly important work. It will be an incredibly helpful contribution towards a better understanding of the situation, and I am very grateful for it. I am sure there will still be outstanding issues with the Northern Ireland protocol that need to be addressed, but ultimately, these will be solved when we work closely together for the benefit of citizens, businesses and stability in Northern Ireland, and of course beyond.

The UK and Ireland have a responsibility to protect the Belfast or Good Friday Agreement in all its dimensions: the Northern Ireland situation, North-South, and between Northern Ireland and Great Britain. We all need to be flexible and put the needs of people at the forefront to resolve this, but I have absolute confidence that it can and will be done, and it is my hope that a durable solution to these issues is agreed swiftly. As you know, the Northern Ireland Secretary has been engaged closely with the Irish Government and the parties in Northern Ireland, while both Governments have had enduring commitments to peace and prosperity in Northern Ireland. There is so much that our countries can offer each other—so much more

that our countries can offer each other. We are building even stronger and more prosperous relations.

Let me therefore turn to the wider UK-Irish relationship and its potential, because we are seeing so much positive progress. Look at the opening of the fantastic new consulates general in Manchester and Cardiff last year. These new offices serve as a symbol of success for our deepening friendship. The north of England and Wales have also now joined Ireland's diplomatic network. This will help bring the people of Britain and Ireland closer together than ever before, sparking more opportunities for co-operation, prosperity and more. It reflects on the close ties between England and Ireland forged by people crossing the Irish sea over centuries.

You will be familiar with the long-running programme from our embassy in Dublin called "Joining the Dots". This programme has convened city leaders, businesses and researchers in Limerick, Cork, Coventry and Birmingham, and promotes economic links and opportunities between regions of the UK and the south-west and west of Ireland. This year, the embassy will build on its virtual events with programmes in Galway with Leeds and Bradford. The recent levelling-up White Paper identifies the role played by local leadership, strong communities, innovation and business finance to drive mutually beneficial opportunities.

Returning briefly to the international picture, the UK and Ireland also work together on the world stage. Last year, we set out our vision for the UK's role in the world over the next decade in our integrated review. The integrated review addressed security, defence, development and foreign policy. We were, and are, working closely with Ireland on these areas, but there is always scope to do more, as the events of the last week have highlighted so starkly. We have already done work on the UN Security Council to turn the tide against those who would seek to undermine the international rules-based system, and to protect human rights and promote inclusion. Of course, we need to be constantly vigilant and to continue working on this. We need to support global health systems and get 40 million more girls into school by 2025. I was delighted that both the UK and Ireland made record pledges at the Global Partnership for Education conference last summer.

I welcome Ireland's increased ambition on climate action and the commitments it made at COP26, as well as the new Climate Action and Low Carbon Development (Amendment) Act 2021. I understand that the Act formalises the national climate objectives of a resilient, biodiverse, sustainable and climate-neutral economy by no later than 2050. We are proud, as the world's first major economy to legislate for net zero, that we have a 10-point plan for a green industrial revolution, and the Prime Minister will mobilise £12 billion of Government investment, leveraged up to three times by private investment, by 2030. Both countries are working hand in hand on this incredibly important agenda.

Our collective goals are deeply ambitious. The strength of our relationship is incredibly important, and this will be reinforced, I am pleased to say, by the royal visit that is coming to Ireland next month. There are fantastic opportunities that our two countries can seize together. Above all, I believe that the UK-Ireland partnership can be a powerful, positive force for change in the world, and I look forward to working with you on that agenda. Thank you so very much. *[Applause.]*

**The Co-Chair (Brendan Smith TD):**

I thank Minister Cleverly for addressing us here this morning. I am pleased to invite our next speaker, the right hon. Conor Burns MP, Minister of State for Northern Ireland, to give his address.

**ADDRESS BY THE MINISTER OF STATE FOR NORTHERN IRELAND**

**The Co-Chair (Brendan Smith TD):**

I would like to welcome you, Minister, to our Assembly. We will hear your address and then there will be some questions from Members for the Ministers.

**The Minister of State for Northern Ireland (Rt Hon Conor Burns MP):**

Thank you, Co-Chairs. Ladies and gentlemen, thank you for the invitation to be with you this morning, and also for your kindness in inviting me to join you for the pre-plenary dinner last night. That felt for me, in many ways, like a little bit of a homecoming for I had several very enjoyable years as a member of this body and have experienced personally the massive contribution that it makes to understanding in these islands.

This is not just the British-Irish Parliamentary Assembly; this Assembly comprises all the elected assemblies of these islands—our counterparts in Scotland, Wales, Northern Ireland, Jersey, Guernsey and the Isle of Man. In the years since your inception in 1990, you have done incredible work bringing people together and facilitating a forum for discussion and understanding. It is a forum where, both privately and formally, differences can be addressed and ideas can be floated. We have differences in these islands, and in recent years those differences have come to the fore, not least in the aftermath of the United Kingdom's decision to leave the European Union. But organisations like BIPA are underpinned, in a sense, by the guiding philosophy that Lord Denning, the late Master of the Rolls, outlined when he said that two reasonable people can perfectly reasonably reach opposite conclusions based on the same set of facts, without each surrendering their right to be considered a reasonable person.

Those are words I often recall as I visit people of different traditions from the divided communities in Northern Ireland. The Prime Minister and the Taoiseach speak regularly on a whole range of issues. Despite what you might read and hear, I would contend that their relationship closely echoes those between Thatcher and FitzGerald, Major and Reynolds, Blair and Ahern, and Cameron and Kenny. The Secretary of State for Northern Ireland and I have close relationships with our Irish counterparts, and Michael Gove, the Minister in the UK Government responsible for the devolved Administrations, has regular—indeed, weekly—calls with our counterparts in those areas. My friends, the work of BIPA is central to that work of understanding. Through your biennial plenary meetings, your committee work, your events and debates, you help to build the bonds of trust and understanding that lay the foundations for the strong working relationship between the UK and Ireland that we enjoy. For that, my friends, I thank you.

*10 am*

I returned to my hometown of Belfast in September last year and visited my old primary school, Park Lodge, on the Antrim Road in north Belfast. One of the young people there asked me what was different about Belfast today from when I was there in the '70s and early

'80s. I answered that obviously one major difference was that half of the school audience were female. They were all boys in my day—it was a Brothers school. I said the substantive difference was that when I walked to school along the Antrim Road, the police would be in armoured Land Rovers and there would be a British Army presence on the streets. Bombs were a regular occurrence. There was a gate in Royal Avenue into the centre of Belfast. A man got on to the bus to check people's bags as they travelled to shop in Belfast city centre during the day. That is not the case now.

Northern Ireland lives in a completely different environment, and that was made possible by the Belfast/Good Friday Agreement, the 25th anniversary of which we will mark next year. That agreement was a great landmark in the history not just of Northern Ireland but of these islands as a whole. It enshrined the principle of consent, settling Northern Ireland's place in the United Kingdom for as long as the people of Northern Ireland wished to be part of that Union. It established political institutions and gave expression to all communities in Northern Ireland. It created new bodies to foster greater North-South and east-west co-operation, and reaffirmed the birth right of the people of Northern Ireland to their identity and citizenship and ensured that their rights were protected in law. In so doing, the Belfast/Good Friday Agreement gave birth to a more peaceful, stable and prosperous Northern Ireland.

But we should not live under the illusion that the work is complete. When you visit parts of Northern Ireland today, communities still live in the shadow of peace walls. In a very real sense, Northern Ireland lives in a text-based absence of violence, and there remains much to do to build genuine cross-community understanding and respect. When you visit communities in Derry, Strabane, Castlederg and both sides of the divide in Belfast, you see the urgency of the work that still needs to take place.

Earlier this year I was in Belfast for the 4 Corners festival, a cross-community coming together driven by two clergy, Father Martin Magill of St John's on the Falls Road, and the Reverend Tracey McRoberts, a Protestant clergywoman from the Shankill. A groundbreaking event opened with a message from the Holy Father, Pope Francis, and closed with an in-person speech by the Archbishop of Canterbury. It was unprecedented and would have been inconceivable 25 years ago.

My friends, behind the agreement that is making so much of that possible lies the fundamental principle of devolved power sharing—of shared government. The last two years have given us a very clear sign that when the Northern Ireland parties work together, much can be achieved, and we must not allow ourselves, by accident or design, to return to a state of political deadlock, because the only people to suffer will be the people of Northern Ireland themselves. That is why the Government is absolutely committed to a return to power sharing and urges all the parties to commit themselves to power sharing in the run-up to the elections on 5 May. That will be the opportunity for the people of Northern Ireland to elect a new Assembly. We passionately believe the decisions in Northern Ireland should be taken by people elected in Northern Ireland, who should be accountable to the people of Northern Ireland at the ballot box.

A restored Executive will be fundamental in driving economic recovery. Last year, the whole of the UK economy returned to growth, and the Northern Ireland economy grew 4.6% in the third quarter of 2021. Levelling up, the mission of the Government in which I serve, is vital for all areas of this country, especially Northern Ireland. Northern Ireland has so many of the ingredients required for economic success: exceptional talent, creativity and innovation. That,



together with the scenery, the tourism and the rich cultural and artistic heritage, makes Northern Ireland a great place to live, work and do business, and to invest.

We are expanding into industries with enormous future growth potential, such as cybersecurity—there are now 2,300 cyber professionals working in more than 100 companies in Northern Ireland. Belfast is ranked in the top 25 tech cities in the UK, second only to London. We have a vibrant fintech, health and life sciences and advanced engineering sector in Northern Ireland. It is our task, as Government, to showcase that. In September last year, the Secretary of State for Northern Ireland led the Northern Ireland Business and Innovation Showcase in London as part of our centenary programme. In November, the Trade Secretary chaired the Board of Trade in Derry, highlighting the fantastic ecosystem of Northern Ireland commerce. Only a couple of weeks ago, I visited Dubai and Abu Dhabi, where I supported the first ever Northern Ireland Day at the Dubai world Expo, where we supported Northern Ireland businesses such as White's Oats, Kiverco and Greenfields, and promoted the fantastic opportunities Northern Ireland has for investors. I also met some significant sovereign wealth funds, who accepted my invitation to come and look at the investment opportunities in Northern Ireland.

However, the fact remains that Northern Ireland continues to punch below its weight economically. Despite its many strengths, many communities are still in serious deprivation, with the highest proportion of adults without qualifications in the UK and the highest proportion of economically inactive adults. Too high a proportion of Northern Ireland's brightest and best leave Ireland and do not return. That is why the agenda for levelling up, and delivering policies and investment that will grow Northern Ireland's economy, are absolutely vital.

Let me spell out the scale of the task and the opportunity. Northern Ireland's economic output today stands at £42 billion. If we could close that productivity gap to the UK average within a decade, Northern Ireland could be generating £16 billion more each year in today's prices. That would be around £8,500 per person. That is why we are putting money into the community renewal fund, the levelling-up fund and the shared prosperity fund. Those are having real impacts on real communities on the ground in Northern Ireland. For example, £300,000 has been invested to develop a brand-new digital hub on the site of the former PSNI station in Cushendall, County Antrim, which I visited just a few weeks ago. There has been £2 billion for the New Decade, New Approach financial package, over £600 million for the city and growth deal programme across Northern Ireland, and £400 million in new deal funds for Northern Ireland, in addition to £355 million in support of firms in Northern Ireland to adapt to the post-Brexit trading environment. Those are figures, but they represent opportunities for real people in Northern Ireland to have the dignity of earning their living by work, and to see people coming off welfare and into dignity.

I want to close by saying this: the relationship between the United Kingdom and Ireland is a unique and special one. We can debate who our closest friends and allies are around the world, but the reality is that our economies, cultures, history and futures are inextricably intertwined and will always be so, for the reality of geography. As I have said, BIPA has helped over the years to build that understanding and respect, and that work continues today. I was delighted last night at dinner to meet and talk to Minister Byrne and accept his invitation to visit Dublin and, indeed, his own constituency. I accept that invitation warmly and wholeheartedly, because it is by building relationships and understanding that we advance the interests of all our people in these islands.

I thanked you earlier for all that you do to support that agenda. I always remember one of my favourite lines of “Yes Minister”, when Sir Humphrey explained to Bernard that in politics, “gratitude is merely a lively expectation of favours to come”. *[Laughter.]* I will close by thanking you for all you have done, and for all you will do in the decades ahead. *[Applause.]*

## QUESTIONS TO THE MINISTERS

### **The Co-Chair (Brendan Smith TD):**

Thank you very much, Minister Burns. We now take questions from the floor for both Minister Cleverly and Minister Burns.

### **Senator Niall Ó Donnghaile:**

Go raibh maith agat, Co-Cathaoirleach. Thanks to both Ministers for their contributions this morning. It’s not the case normally in my experience of BIPA that we would comment on or discuss legislation in each other’s jurisdictions; but Ministers, I want to draw your attention to the impacts for Ireland as a result of the Nationality and Borders Bill. I took great note of the comments about peace and stability, and the progress that has been made, and indeed the need for further foreign direct investment and developing international links for North and South.

The consequences of the Nationality and Borders Bill would be that many of our foreign national students or tourists would be required to avail of an electronic travel authorisation to travel from the South into the North. Not only is that an affront to the Good Friday agreement, but it also breaches the spirit of the Withdrawal Agreement that said there would be no return to a hard border on the island of Ireland. It didn’t say there would be no return to a hard border for some, but for others they would have to apply for a travel waiver.

So I take this opportunity to alert colleagues from Westminster to the very real impacts for people, not least, as I say, our students who may live in the South and travel into the North, and foreign nationals who work for the NHS in Derry but live in Donegal. This is a very retrograde step and I think that, in the spirit of the collaboration that is historic in this institution, we need to say that, and I wonder whether the Minister could reflect on their own views of how, given everything that they have said about progress and the need to develop more international links and more investment, the impacts and consequences of legislation here would be very acutely felt across the entirety of Ireland, North and South. Go raibh maith agat. Thank you.

### **The Co-Chair (Brendan Smith TD):**

Thank you, Senator Ó Donnghaile. We will take one more question and we will have the group questions. Neale Richmond TD

### **Neale Richmond TD:**

Go raibh maith agat, Co-Cathaoirleach. I thank the Ministers for their very engaging remarks. I have a slightly more practical question. You both referred to this issue in your remarks, in relation to the importance of bilateral relationships between our Ministers. I was wondering whether you could lay out the concrete proposals that your Government have to ensure that those bilateral relationships are bedded in.

The opportunity for Ministers to meet informally at European Council meetings is now a thing of the past. How can we replace that going forward, to ensure that our two Governments are working as closely as possible to how they were working before, to ensure that not only the informal discussions but the formal discussions are ongoing? It is particularly important post-pandemic that we can meet again in person. That is something that I hope would have a level of ambition from both the British and Irish Governments, and perhaps there are tools within the Good Friday agreement that would allow them as well. Go raibh maith agat.

**The Co-Chair (Brendan Smith TD):**

Thank you, Neale. Ministers? James?

**Rt Hon James Cleverly MP:**

On the Borders Bill, I will start with the most general comment, which of course is how much we value the free travel area and how much we value Irish nationals here in the UK. I completely take the point that you make about some of the practical implications. I can't give you anything like a kind of detailed answer, but I can assure you that issues like this are things that we are considering and looking at how we have a practical, pragmatic response, which abides by the philosophy that you outlined.

I know that my civil servants in the room—I suspect that Conor has his team in the room as well—will have made notes of the point that you make, the strength of feeling behind it, and the positive spirit of resolution in which you delivered it. While I cannot give you a granular answer at all, as I say, everything that we do on this will be underpinned with those as a principle.

*10.15 am*

Regarding the bilateral relationship at a ministerial level, Minister Byrne and I discussed this when we met beforehand. I made the point that with some of the fora where British and Irish Ministers would have been able to have a little coffee in the margins or whatever, some of those related to the European Union, which obviously we have extracted ourselves from. There are still other fora where we will have the opportunity to meet, and I have no doubt that we will take full advantage of those.

However, implicit in your question, I think, is a really important point: that having chosen to step out of the European Union, the UK actually does have a real responsibility to ensure that we replicate that level of bilateral engagement, which the European Union would have provided in the margins, in other fora. I happen to think that that is a really good thing. I happen to think that it imposes a bit of a structural discipline on the UK; we are going to have to be really proactive in our international relations—our bilateral relations with Ireland and also other European countries.

I am now the Minister for ensuring that those relations work, and I can guarantee you that I will be throwing myself at it with gay abandon. I am really keen to strengthen that bilateral relationship, and I was very pleased that Minister Byrne and I discussed visiting not only each other's capitals but also, more broadly, across the country as well.

**Rt Hon Conor Burns MP:**

Just to echo what James said, the points on the Nationality and Borders Bill are heard and understood, and there are continuing conversations across Government. Legislation evolves due to practical implications of it, and it is important that we keep dialogue open.

On the question—look, it is absolutely right that the—in the words of Kipling:

“Let us admit it fairly, as a business people should,  
We have had no end of a lesson: it will do us no end of good.”

We have got to a point, now, where it is almost newsworthy when Simon Coveney comes to London. That is not helpful. Northern Ireland is my principal interest in all of this, and its interests are best served when the relationship between London and Dublin is warm, frequent and close. There are ways that we are continuing to do that. I was at the British-Irish Council in Cardiff, where I had good conversations with Leo Varadkar, and also with the Taoiseach. We had the British-Irish Intergovernmental Conference in London in December, where Simon Coveney came representing the Irish Government. I would pay huge tribute, by the way, to the Irish ambassador, who is with us here this morning. Adrian does a fantastic job with channelling communications, not just between Governments, but with parliamentarians, between here and Dublin.

However, frankly, I think there are also things that we can be doing more on together. I am very interested in that, and I know that the Secretary of State is also. There are commitments, which the Irish Government entered into under New Decade, New Approach, that have all-Ireland implications, such as in transport connectivity, which was discussed at the British-Irish Intergovernmental Conference.

As far as the Secretary of State, myself and the Northern Ireland Office are concerned, we stand ready to receive invitations to come south of the border at any time. I would welcome those enthusiastically. Minister Byrne, as I said, invited me, and I enthusiastically accepted that. However, I think it is incumbent on both of us to ensure that that partnership remains close and frequent, and to look at the mechanisms under the agreement to ensure that we are exploiting them to the full extent that they were intended for.

### **The Lord Kilclooney:**

Chairman, Ministers, as one of those who negotiated the Belfast Agreement, I recall that article 1 agreed between the two Governments that there could be no change in the status of Northern Ireland without consulting the people of Northern Ireland. I believe that there is now a breach of the Belfast Agreement.

To Minister Cleverly, I would say that when we decided to leave the European Union, our Government decided to have freeports in the United Kingdom. We still have no freeport in Northern Ireland. Is that because of the Northern Ireland protocol and the checks on trade between Great Britain and Northern Ireland?

### **The Co-Chair (Brendan Smith TD):**

Thank you very much, Lord Kilclooney. Lord Reg Empey.

### **The Lord Empey:**

When the protocol was being negotiated, both the European Union and the United Kingdom repeatedly pledged their support for the Belfast/Good Friday agreement in all its aspects. Are

the Ministers prepared to look at that agreement—at its structures and possible adaptations of its structures—to solve the protocol problem?

We fully understand that there has to be a treaty relationship between the European Union and the United Kingdom. However, it is not sustainable for vast areas of our economy in Northern Ireland to be run and regulated by a foreign power—the European Union—and for the local community to have no say in that. The institutions of the agreement could be adapted to facilitate the end of a democratic deficit and to smooth the relations between the European Union and the United Kingdom, when both sides say that they are totally committed to the agreement. Would the Ministers be prepared to look at the existing proposals to avoid this problem while maintaining a proper and appropriate treaty relationship between the UK and the EU?

**The Co-Chair (Brendan Smith TD):**

Thank you, Lord Empey. Ministers.

**Rt Hon James Cleverly MP:**

Thank you, Mr Chairman. I am going to start and finish with an apology: once I have answered these two questions, I am afraid I have to leave because I need to make a phone call with regard to the Russia-Ukraine situation. Unfortunately, I will therefore miss the comments of my new friend Minister Byrne.

On the freeport situation, the bottom line is that this is an evolving policy that is rolling out. At the moment, of course, it is still very much in the inception stage. There is plenty of work to do on the policy around new ports.

It is incumbent on us to resolve the current situation with regard to trade flows in Great Britain, Northern Ireland and Ireland, and we are looking to do that. It touches upon the point that you made, Lord Empey: the resolution needs to happen. It is a sticking point at the moment, and it is causing tensions that we all wish to avoid. The most recent set of negotiations I have been involved in with Mr Šeřčovič have given me hope that there is a genuine appetite for resolution. We will, of course, look at wherever we can find ways of resolving the current sticking point.

We want to make sure this works. We want to make sure that the principles embedded in the Belfast/Good Friday agreement are upheld and that communities in Northern Ireland feel part of the country that they—I wouldn't say affiliate; that's the wrong word—the country where their head and heart take them. That is absolutely embedded in the Belfast/Good Friday agreement, and we want to protect that. However, we also want to make sure that that is not undermined in any way by the practicalities of the administration of goods flow.

Somewhere between the deep, philosophical principle underpinning the Belfast/Good Friday agreement and the technical, logistic management of goods flow is the point where we are at the moment, and we have to get some resolution. We have to come at it from both ends. We have to look at technicalities, details and all that boring, logistical stuff, but we also have to make sure that, at the heart of whatever technical resolution we come up with, we have the fundamental principles that everyone in Belfast, Dublin and Westminster feels so strongly about.

I apologise—I really do. I have to head off to take a phone call from one of our close allies in the east. Thank you very much. I leave my good, long-standing friend Conor to answer all the really tricky, difficult questions once I have left the room.

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Minister. Ross Greer MSP.

**Ross Greer MSP:**

It was actually a question for James about the situation he is now having to leave to deal with. It is a piece of constituent casework that has now become so farcical that I am desperate for some help from the UK Government. I am going to ask Conor, in the hope that you are able to pass it on to the relevant colleague. To cut a very long story short, I have a constituent who is a Belarussian citizen and a legal resident of the UK. Her one-year-old daughter is a British citizen. They were in Belarus visiting family last week and made the sensible decision to return. They made it as far as Lithuania, where her digital proof of residency was not accepted so she was unable to travel on to the UK. We contacted the British embassy in Lithuania; they were not able to offer any help before 9 March, at which point they offered an appointment. Instead, we were able to arrange an appointment at a British visa centre in Latvia this morning—she has just been to that centre. As part of that process they have now taken all of her documentation and identification from her, and if they accept her claim and are able to issue her with new papers that would allow her to travel on to the UK, they have just informed her that, for reasons that we have not been able to get an explanation for, they will post those to a visa centre in Berlin—not where she currently is, in Latvia, or Lithuania, where she came from. I have a one-year-old British citizen and British legal resident who are unable to return home having fled the situation in the south of Belarus. Conor, if I and my Westminster colleague Amy Callaghan MP contact you about that situation, would you be able to pass it on to the relevant colleagues? At this point we are at a complete loss as to how we can help this family return home.

**Brendan Howlin TD:**

By necessity, we often focus on questions that relate to further division between us. I want to ask a more positive question. It picks up on Minister Cleverly's comment about energy and the decarbonisation agenda that both Ireland and the UK are following. All of the island of Ireland is an integrated energy market. We are now focused—probably doubly so in the last week—on the need to move away from our dependence on gas, and particularly Russian gas. Is there scope, in your view, for closer co-operation between Ireland and the UK to develop offshore wind in the Irish sea? Could that be a vehicle on which we could develop strong integrated energy patterns, with investment and co-operation?

**Rt Hon Conor Burns MP:**

I will comment on the previous two questions as well, if I may? Ross, in terms of your direct question, I am very happy to help to try and disentangle that. It sounds very complicated. This is not unusual; I was dealing over the weekend with one of Sinn Féin's MPs in Northern Ireland who was asking for my help on a constituency case for some people in Belfast. One of my private secretaries is here—Harry, who is now waving. Can you two swap details before we leave? I will be around for most of the rest of your sessions. When this normally happens in some fancy hotel, we all mix properly. I am keen, despite the fact that it is here, to

do as we would normally do, which is to be in attendance for as much as possible. We will try and help on that.

On the point about energy and closer collaboration, I am very careful—I see Peter Bottomley in his place—to be conscious that Ministers can say something very casually in matters of Northern Ireland or Ireland and it ends up on the front page of the newsletter and sparks a major row. I do not want to start a row about, “UK Government calls for pan-Ireland energy strategy.” We are always open to conversations. Energy is a particular opportunity in Northern Ireland, and the Government’s hydrogen strategy has some amazing companies from Northern Ireland coming through with new technology, not least Wrightbus in Ballymena—they have been pioneering. I also visited Catagen in Belfast with Kwasi Kwarteng to do the official opening before Christmas.

On the other two points, John, on freeports, that is not off the table in Northern Ireland at all. We are having ongoing conversations across Government about how that might operate in Northern Ireland. Potentially there could be a freeport covering more than one location. We have not made any policy on that, but I am very attracted to the opportunities that freeports might present to Derry/Londonderry, which ironically has fallen economically behind the rest of Northern Ireland since the Belfast/Good Friday agreement. It is certainly not off the table.

### **The Lord Kilclooney:**

The question was, does the protocol affect it?

*10.30 am*

### **Rt Hon Conor Burns MP:**

All uncertainty around trading and relationships is something you take into account when developing policy, because there is no point in having a policy and then events deciding that that the policy is rendered impractical. We continue to scope that out, as we have done by the way in conversations with the Scottish Government and elsewhere about how the models can work appropriately within devolved Administrations.

On the protocol itself, I know that this has become incredibly controversial, but there is a disconnect here between the real lived experience of people in Northern Ireland over the protocol, practically with products no longer being available on shelves—I will give you one small example: Greens in Lisburn, which I visited in the autumn, telling me that they now only sell one variety of shortbread because their other suppliers have decided not to supply to Northern Ireland, because shortbread requires a veterinary certificate under the protocol. I don’t think, my friends, we thought that we were signing up to that.

So there are the practicalities of it, and then we talk about trade diversion, trade disruption, times at ports, delays, but we must also accept and be very candid about this that when almost half the population of Northern Ireland feel that the protocol is undermining their sense of identity, their sense of belonging, their sense of nationhood, that is a problem that we have to address. That problem is as alive and real as the practical implications of supply of products into Northern Ireland.

We have to resolve it. We have to dial down the rhetoric and look at it very calmly, but we have got to resolve it, so that if the protocol is to endure and sustain and work, it has to be practical and it has to have consent across community in Northern Ireland.

**The Co-Chair (Brendan Smith TD):**

Thank you, Minister. John O'Dowd MLA.

**John O'Dowd MLA:**

This is my first attendance at the British-Irish Parliamentary Assembly and I welcome and look forward to working in it—for after 5 May, we will have to see what happens at the elections.

When I was coming into Westminster, I was recalling that the last time I was here was in the summer of 2016, at a Joint Ministerial Committee on European Affairs, which was the devolved institutions coming together. I was accompanying Martin McGuinness to those discussions with all the institutions. Martin said clearly that Brexit was not good for the island of Ireland—regardless of what position anyone else took, it was not going to be good for the island of Ireland.

Lessons can be learned from that, but we can do now is to engage and discuss with each other. I acknowledge my Unionist colleagues' concerns about the protocol, but let us look at this from another position. I have been an elected representative for 25 years, and for the first time in my lifetime as an elected representative, they are building factories in my constituency. They are building distribution warehouses. Small and medium-sized enterprises are expanding. A major pharmaceutical company is employing thousands of extra workers. Why? Because of the protocol. Because they can trade in both the UK and the EU.

Minister Burns referred to improving the economic outworkings of the North. But we can do that through the protocol, and we can also deal with the concerns of our Unionist colleagues through negotiation.

Minister Burns, I have a concern that the UK Government are using the genuine concerns of the Unionist community in their negotiations with the EU over matters other than the protocol. The quicker we come to a resolution of the negotiations on the protocol, your ambition to improve the economic activity in the North will be achieved.

**The Co-Chair (Brendan Smith TD):**

Thank you very much, John. Karen Bradley MP.

**Rt Hon Karen Bradley MP:**

Thank you. I have two points, first on intergovernmental relations. I accept the point that has been made about the fact that the Belfast/Good Friday agreement has institutions and mechanisms that can be used for intergovernmental relations, but they are limited. I urge both Governments to set up some formal Heads of Government summits. Perhaps you could even consider running them at the same time as BIPA meets, so that when BIPA meets in plenary session, we know that the Governments are meeting at Heads of Government level. It is incredibly important to ensure that those vital relations for both countries are maintained.

My second point is a technical one on the trade between Great Britain and Northern Ireland. I understand that, for manufactured goods, when component parts are imported into Great Britain where we do not apply a tariff any more, but tariffs would be applied if the good were imported into the EU, the UK Government is taking that tariff but not currently reimbursing



the Northern Ireland businesses bringing in those raw materials to use in their manufactured goods. That is putting Northern Ireland businesses at a disadvantage compared with others in the UK. I urge the Government to rectify that and ensure that the tariff is paid to those businesses as soon as possible.

**The Co-Chair (Brendan Smith TD):**

Thank you, Karen.

**Rt Hon Conor Burns MP:**

John, on the protocol, there are companies who tell us very strongly that the protocol represents opportunities. I think that if the protocol can be made to work and can garner, as I have said, cross-community support and that its implementation is proportionate—that is why one of the things we have been saying to our friends in the Commission and the Council of the EU is that we want to try to find a mechanism to disaggregate the checks on products going into the Northern Ireland marketplace and destined to remain there from those goods coming through Northern Ireland for onward transmission into the European Union single market. The protocol itself makes clear in its opening paragraphs that it recognises Northern Ireland's place within the United Kingdom single market.

I understand the point, because I hear it and it is a sentiment expressed to me in different parts of Northern Ireland. I do not accept the accusation that the Government are using the protocol and Unionist unease about the protocol for other agendas. In fact, the Prime Minister and the Secretary of State have said, and Liz Truss has said as well, that the very fact that the Government have come to the conclusion that we would be within our rights to trigger the provisions of article 16 of the protocol—I think we said that as far back as last July—but chosen not to do so is, we hope, taken as an act of good faith for our determination to engage in finding practical solutions to the protocol for the benefit of Northern Ireland, Ireland and the United Kingdom as a whole. But it cannot go on indefinitely.

We very much hoped that it would not bleed into the election period, but we have got to accept the reality that when such a large proportion of the population of Northern Ireland does not think the protocol is a good thing for their identity, their belonging and their nationhood, that is a problem. We have got to respect that and address it. Northern Ireland thrives best when we can find ways of getting cross-community support for things.

Karen, on the very technical point you asked me, I am absolutely aware and alive to it. A number of businesses have raised that over the course of the time that I have been back in Northern Ireland, and we are taking that up with Treasury colleagues and HMRC, who are looking at it very closely. It is quite complicated, as you will well know from your own time in Northern Ireland, but we are over it and engaging with colleagues across Government on it.

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Minister.

**Senator Emer Currie:**

Thank you, Co-Chair. Minister, I am conscious that we are in the shadow of Westminster Hall, the oldest building on the parliamentary estate, around which the institutions of the state

like the law courts have grown. My thoughts turn to the rule of law, the Command Paper on legacy and the victims who are opposed to that Command Paper and, in particular, the statute of limitations which tried to end not just legacy criminal prosecutions but criminal investigations, inquests and civil actions now and in the future. This is a lockdown on the rule of law, and it suppresses truth, justice, accountability and acknowledgment. In your words today, you acknowledge that there is work to be done and you acknowledge that there is unfinished business, so how can we draw the line under the past and under legacy? Will you scrap your proposals for a statute of limitations and listen to victims and what they want?

**The Co-Chair (Brendan Smith TD):**

Thank you, Emer.

**Steve Aiken MLA:**

Thank you, Minister, for your remarks. I do not want to turn this into a meeting of the Northern Ireland Assembly, and I am not going to get you sent an invitation to join the Ulster Unionist party either. My question is quite technical. You will be aware, Minister, of the issues that we are now having with the EU anti-dumping legislation in Northern Ireland. This is where Northern Ireland companies, particularly manufacturing companies, are now finding it very difficult to get the necessary fastener materials from the rest of our nation to do that. Will the Minister look urgently at how we are going to resolve this particular issue about anti-dumping legislation, because it is now having a real significant impact on much of our manufacturing sector?

**The Co-Chair (Brendan Smith TD):**

Thank you, Steve.

**Rt Hon Conor Burns MP:**

Thank you. From the passion with which you speak, Emer, and from the response of some participants here, you underline how emotive and sensitive all of this is. I have to say that some of the most difficult and emotionally charged meetings that I have had in the time that I have been back in Northern Ireland have been with victims' groups and with victims themselves. I had a number of those meetings earlier this year.

The Command Paper, as you say, was published last July—that predated my return to Government. At the time the Secretary of State put forward the Command Paper, we committed to listen and to consult widely on its content. That process has been ongoing and it has been genuine—I give you my assurance on that. For what it is worth, I personally do not like the terms “drawing lines” and “moving on”. The reality is that the hurt, the harm and the damage done to individuals, to families and to communities is enduring. There has to be a way of trying to move forward and accept the past, but not to forget it and not to try to diminish the real hurt and harm done.

We also have to be honest with ourselves that the likelihood of successful criminal prosecution is diminishing with each passing month and year. The Command Paper sought to see whether there was a way to put new mechanisms in place that would put information recovery at the heart of this. We will come forward with revised proposals based on the

consultations that have been undertaken and the views that have been brought forward. As you will understand, I am slightly constrained as this is being livestreamed. I cannot just announce where we might be and how soon we might be doing that, but we have listened very carefully and we continue to refine the proposals, and they will be published in due course. I am sorry that that is an inadequate answer, but that is as far as I can realistically go within the constraints that are imposed upon me.

Steve, I know exactly what you are talking about. As a former International Trade Minister who was partially responsible for the creation of the Trade Remedies Authority, it is an area that I understand relatively well. We are across it; we are looking at it. Any real live examples that you have, please pass them on. It is the same with the protocol: it is really useful to have concrete examples of how processes are impeding, or slowing, the free flow of trade and the success of commerce in Northern Ireland.

**The Co-Chair (Brendan Smith TD):**

Thank you, Minister.

**Colin McGrath MLA:**

Thank you, Minister. I represent South Down. So far, through the whole of the protocol issues, I have had one business contact me having problems with getting vitamin D delivered to their business, and that has been it. I wonder sometimes whether the whole issue of the protocol is being amplified and blown out of proportion.

Just as I have only heard from one business about the problems it is having, I have also heard very little from the British Government about what we can do to try to benefit from the protocol and help the businesses that are within my constituency to develop procedures there might be as a result of it. What are you actively doing to try to help businesses benefit from that protocol, and what outreach are you doing with them?

*10.45 am*

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Colin. Senator Lorraine Clifford-Lee?

**Senator Lorraine Clifford-Lee:**

Minister, I have one very brief question for you. When will your Government follow through on your commitment to Irish language rights in Northern Ireland and bring the Irish language Act through Westminster? Go raibh maith agat.

**The Co-Chair (Brendan Smith TD):**

Thank you, Lorraine. Minister?

**Rt Hon Conor Burns MP:**

On the protocol, the single biggest thing we can do to help businesses is bring certainty about what will be the enduring trading relationship and Northern Ireland's place within that

framework. That is what the Government are trying to do. This question would have been better answered by James, but one of the things I try to do in Northern Ireland, as I just alluded to Steve, is to find actual examples that we can talk to our European friends about, so that we can say, “This is what is actually happening. Is this what we intended when we signed an agreement to protect the European Union’s single market.”

By the way, I do not for one moment resile from the fact that it is a legitimate thing for the European Union and the Irish republic to be concerned about. Of course it is. I accept it as truth when you say that you have only been contacted by one business. I have one example here of a cheese supplier in Kent that has decided to stop supplying its cheeses to Northern Ireland because of the export health certificate and the veterinary sign-off certificate. Another business—a branded goods producer in Hull—has decided it will no longer supply to the EU, which it has decided includes Northern Ireland.

A company in Newcastle-under-Lyme, which did supply organic products to Northern Ireland, has decided to also remove all their own-brand products for sale in Northern Ireland. There is another company—I will not name it because that would be inappropriate—that supplied electrical equipment to Northern Ireland. It has now decided that to bring a kitchen fryer into NI from GB, there will be an addition £12 plus VAT charge on the delivery. These are real examples, affecting consumers and businesses in Northern Ireland. If I apply my “reasonable person” test, I do not think people could say reasonably that those were things we thought we were signing up to in an arrangement to protect the EU single market. We have to carry on those discussions.

I am tempted to answer the question about when we are going to bring in an Irish language Act with the very honest that we have absolutely no intention of bringing in an Irish language Act. We are going to bring forward legislation on a cultural package that will also recognise the traditions of the Loyalist Protestant Unionist communities. These were agreements that were signed up to under New Decade, New Approach. They were commitments that the Executive then said they would take forward through the Assembly. The Secretary of State gave a commitment that, were those not taken forward through the Assembly, we would legislate here in Westminster. That remains our intention. The Secretary of State as recently as last week or the week before reaffirmed that it is still his intention that we do that within the existing mandate. I can see that Senator Clifford-Lee is tempting me to put a date on it, but “within the existing mandate” clearly means not very far away. With all these things, I will only commit to a date when I see it printed on the Order Paper.

**The Co-Chair (Brendan Smith TD):**

Thank you, Minister. Do any other Members have a quick question for Minister Burns?

**Rt Hon Conor Burns MP:**

Eleven o’clock was a limit, not a target, so don’t feel obliged. *[Laughter.]*

**The Co-Chair (Brendan Smith TD):**

I call Anabelle Ewing MSP.

**Anabelle Ewing MSP:**

I just want to pick up on a conversation I was having with the Minister at dinner last night on the issue of refugees fleeing the Ukraine. I wonder, in light of some perhaps more positive indications we are seeing this morning, Minister, whether you feel that we will get to the position that the EU has adopted, to allow all those fleeing Ukraine to come in without a visa.

**The Co-Chair (Brendan Smith TD):**

Thank you, Anabelle. Minister?

**Rt Hon Conor Burns MP:**

We had quite a feisty exchange on some of those matters, and other matters, last night. I indicated to you last night, although I could not tell you, that there would be movement overnight. There have been some announcements made overnight by the Government in terms of entry into the UK for those who are connected to British nationals in Ukraine, but it is a very fast-moving situation and I think it is unlikely that the position we are at now will be the final point that we get to. But you must understand that I cannot commit the Government to a future policy when those conversations are still ongoing.

**The Co-Chair (Brendan Smith TD):**

Thank you, Minister. Lord Dubs.

**The Lord Dubs:**

Thank you. I wonder if I might just pursue the point about refugees. The Irish Government announced immediately, when the refugee situation emerged, that they were going to take some people and they were going to open their doors to Ukrainians. Although I do not like to use this as an occasion for having an argument that we are going to have in the Lords this afternoon and in the next few days, I think it is disappointing that we and the Irish Government are going in different directions on this. I hope we can pull it back, go in the same direction as the Irish and show a humanitarian approach to the situation for refugees. It is a tragedy, and as Europeans we should share in dealing with it.

**The Co-Chair (Brendan Smith TD):**

Thank you, Lord Dubs. I think we all admire the great work you have done over the years and your powerful advocacy on these immigration matters over the years. Do you want to make a comment, Minister?

**Rt Hon Conor Burns MP:**

I echo what you just said to Alf, who has acted as an unsettler of the conscience of the British body politic on these matters over many years. Those conversations are ongoing across Government and more announcements will be made in due course. I must say I am quite proud of the role that the United Kingdom Government are playing over Ukraine in trying to shape an international response to Russia, trying to bring along some colleague Governments in Europe, who were perhaps slightly more reluctant to eject Russia from SWIFT and applying very heavy sanctions against those connected to the Putin regime. We will be legislating for some of that tomorrow, and I will leave here in an hour or so to go to PBL to

talk through and hopefully sign off the draft Bill that we are bringing to Parliament tomorrow on sanctions. I think the UK has been in the vanguard of shaping global opinion in response to the absolutely appalling, unprovoked, unconscionable attack against an innocent people by effectively a dictator, and I am proud of that. On the refugee thing, I think there will be further announcements in due course.

**The Co-Chair (Brendan Smith TD):**

Thank you, Minister. The final question goes to our Vice-Chair, Karin Smyth MP.

**Karin Smyth MP:**

Thank you, Co-Chair. It is not often that we have the chance to do an extra bit of grilling, so we are grateful for your time, Conor. There is one issue that unites us all, where we are all facing the exact same problem and we should be able to deal with it together: health services and the recovery from the pandemic in particular.

As colleagues here know, the waiting lists in Northern Ireland even before the pandemic were an absolute disgrace—on a political point, there were 4.4 million here in the United Kingdom and triple that, proportionally, in Northern Ireland. Reg Empey and I have talked about this and there is some great work in the Lords. For various reasons, reforms have not happened in Northern Ireland, and we all know that history. In terms of migration, making the protocol work, our place across the islands, the common travel area and how we all move around the place, it surely should be at the top of our agendas now and in your conversations when you go to your lovely dinner with Thomas. On health services and recruitment of people to be able to manage that, there is a problem with specialisms across the islands. None of us have the people to be able to cope with the health and care system of the future. It is absolutely incumbent that all parts of this jurisdiction have a better focus, and we need to make that at the top level of all Governments as well, on the things that we need to resolve. That will indeed bring prosperity to us all.

**The Co-Chair (Brendan Smith TD):**

Thank you Karin.

**Rt Hon Conor Burns MP:**

I think that is an absolutely brilliant question on which to end, because it goes to the very heart of everything that the relationship between the Governments of these islands is all about. As I said earlier, when relations between London and Dublin are close, strong, involved and courteous, that is to the benefit of all our citizens throughout these islands. In a sense, we have to try to move beyond the divisions that were caused by Brexit, where the Irish Government—totally understandably—thought that the decision the United Kingdom took was damaging to their national interest, and they sought strongly to defend their national interest during the negotiations. We sought to do what we believed was advancing our national interest. We now have to find a way to acknowledge the difficulties and misunderstandings of that period, and try to find a new recommitment to a post-Brexit relationship that is obviously different to the pre-Brexit relationship. I am passionately committed to that. I have, in a very real sense, skin in the game. I have family dotted all over the island of Ireland, many of whom are appalled that I am back in Northern Ireland as a

British Government Minister. Many of them would have alliances that would not exactly be Tory in inclination.

I am very committed to the health service, which is in a difficult situation in Northern Ireland. I think we would find it hard to justify to our constituents if that situation were replicated in our constituencies in England. As a UK Government Minister in a UK Government Department, we are very constrained, because it is devolved and there are no real levers that we can pull. We have sought to help by requesting that the MOD supplies some Army and other medical reservists into Northern Ireland to help, but it's in a very perilous state.

I think I would say—this would probably be my concluding message, and if I wanted one message to be taken away on behalf of the UK Government, I suspect this message would be echoed and shared by the Irish Government—that this is why we want a return to stable power sharing in Northern Ireland. That is what the people of Northern Ireland want their Government in Northern Ireland to focus on. This is very real to people's lives, if they are waiting a long time for appointments. That is why it is vital that we get those power sharing institutions up and running after the elections. That is why I want to see everyone committing to return to power sharing post May. The fact that we have not been able to pass the three-year budget in Northern Ireland has already had an impact on health resourcing, because the extra that would have gone in required that budget to be passed. This is not theoretical; this is already impacting on people's day-to-day lives in Northern Ireland. I want a full-throttled open commitment on the part of all the parties that they will be back around the table, working in the interests of the people of Northern Ireland after those elections in May.

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Minister, and I thank colleagues because we are spot on time for the completion of this session. I thank our colleagues for the variety of questions, and I thank Minister Burns for his comprehensive address at the outset of this session, and for his engagement with a great variety of questions. Thank you very much, Minister Burns. *[Applause.]*

**The Co-Chair (Andrew Rosindell MP):**

I am conscious that there has been no chance to use the facilities and grab a coffee, so we have decided to give you a few minutes—literally a few minutes—to pop out and come back. Coffees and teas are in the Jubilee Room, and the lavatories are downstairs. Please could you be back here in five or six minutes? Just a very short break. Thank you very much.

*The sitting was suspended at 10.59 am.*

*The sitting was resumed at 11.18 am.*

**ADDRESS BY THE MINISTER OF STATE FOR EUROPEAN AFFAIRS,  
GOVERNMENT OF IRELAND**

**The Co-Chair (Andrew Rosindell MP):**

I am delighted to welcome our next speaker, who is Thomas Byrne TD, the Minister of State for European Affairs from Ireland. Thomas, welcome to you here in London. Thank you for joining our Assembly this week, and we invite you to address the Assembly this morning. *[Applause.]*

**Minister of State for European Affairs, Government of Ireland (Thomas Byrne TD):**

Go raibh maith agat, Andrew. Go raibh maith agat, Brendan. Thank you very much for your welcome last night and today. I thank everybody here today, including ambassadors, Minister Burns and other distinguished guests. It is a great honour to be here at this plenary session. I am also glad to be here in person—we are all probably Zoomed out at this stage. I think it is the first time in almost three years that BIPA has gathered in this way.

Prior to starting, I would like to recognise the terrible events currently happening in Ukraine. Our thoughts, prayers and practical support are with the people of Ukraine at this moment. Ireland strongly condemns the unjustified and unprovoked attack by Russia on Ukraine, and on innocent communities in Ukraine, and we stand with the people of Ukraine.

As we come here today as parliamentarians, I also want to recall Sir David Amess. I did not know him personally, but it is clear from his reputation, and from what everybody said about him, that he was an outstanding public representative. The attack on David Amess was deeply felt by his family and his constituents, but it was also deeply felt by all of us as public representatives. Our Taoiseach said it was “an attack on democracy,” which it was, and we held a minute’s silence in Dáil Éireann last year. Today, and every day, our memory of David Amess should inspire us to sharpen our commitment to democracy and public service, and to our constituents.

I also want to acknowledge the recent death of Christopher Stalford. The last in-person engagement I attended on Northern Ireland issues was in October or November last year. Christopher was on the panel with me. I send my deepest sympathies to his family and his party colleagues, and his community, to which he was so deeply committed. He was an outstanding public representative. People said he was born for politics, public service and service to his community. That was certainly clear.

Here in the Palace of Westminster, I am conscious of many Irish men and women who have entered this building as representatives back in history and who were passionate advocates for their communities and their island in these halls. As the Teachta Dála—TD—for Meath, I will be forgiven for mentioning what I might call my predecessors; they were certainly elected by some of the people of Meath, although women did not have the vote and many men did not either. Charles Stewart Parnell sat for Meath. His fate as leader of the Irish Parliamentary Party—the Home Rule party—was decided only a few hundred yards from here in Committee Room 15. That is often spoken of as a pivotal moment in Irish history. The controversial impact of that meeting was felt for decades to come in Irish history. Daniel O’Connell and Michael Davitt also represented Meath as Members of Parliament.

We have just finished marking the 100th anniversary of the treaty negotiations that culminated in the signing of the Anglo-Irish Treaty and the establishment of the Irish Free State. We are reminded of our history—a history that has various interpretations and different consequences for different communities. It is incumbent on us all to try to understand everyone else’s history. We can look at the treaty negotiators. Near to me, there was the Battle of the Boyne, which is very important to the Unionist community, but has different consequences for other communities. We can see Cromwell outside here—he is not somebody who is venerated in my home town of Drogheda, but clearly there are different views in Britain as well. It is important to acknowledge all aspects of our shared history. It is not always interpreted or remembered in the same way, but the understanding has to be there.



Today, it is challenging to imagine the fateful issues and decisions of 100 years ago—decisions that figures such as Griffith, Collins, Lloyd George and Churchill struggled with. How heavily the burdens of history and expectation must have weighed on them during those crucial weeks. In comparison, the issues that we reflect on here today, while difficult, seem to me to be more manageable, certainly between Ireland and Britain, and Britain and the European Union. We have come a long way and have so much more to build on, even though we have a lot of work to do to understand each other.

Strengthened by that shared history, I will first address the aftermath of Brexit and the current key issues in EU-UK relations, before considering the continuing importance of British-Irish relations and our ambitions for continuing to develop them.

Brexit has happened—there is no discussion on that. It has altered the EU-UK relationship and has profound implications for the island of Ireland, as we all know. We have important choices to make in terms of our vision for future EU-UK co-operation. For Ireland, ensuring that this new relationship safeguards the Good Friday Agreement, and benefits the people and businesses and jobs of Northern Ireland, remains a core consideration.

The potential for profound disruption for Northern Ireland arising from the UK's decision to leave the EU has been clear since day one. Northern Ireland's unique circumstances require and have got unique arrangements. We cannot lose sight of why the protocol was signed in the first place. It was designed on the basis of respecting two referendum outcomes—the referendums on the island of Ireland on 22 May 1998 that endorsed the Good Friday Agreement and the UK-wide Brexit referendum.

The protocol was the compromise that was agreed when other options were removed from the negotiating table, and it is the agreed means by which the gains of the peace process are maintained and the negative impacts of Brexit on Northern Ireland are minimised, to the greatest extent possible. It is the agreed compromise, which fully respects, acknowledges and caters for the unique circumstances of Northern Ireland.

The European Commission has engaged consistently and extensively with stakeholders in Northern Ireland, as has the Irish Government. Vice President Šefčovič has met regularly with political leaders, businesses, and representatives from civic society to understand their concerns.

Let me be clear, as well: neither Vice President Šefčovič nor any of my European colleagues has ever mentioned to me the constitutional issues in Northern Ireland. They keep their focus entirely directed on what is in front of them, which is the protocol between the European Union and the United Kingdom, which acknowledges that the Good Friday Agreement is there and the constitutional protections that are in the Good Friday Agreement. The constitutional question is an issue for the people of Northern Ireland; it is not an issue for my European colleagues, and they have made that clear time and time again. When they are looking at this, it is purely from the point of view of the protocol and the agreement that has been reached to protect peace in Northern Ireland and the single market of the European Union.

The ambitious proposals published by the European Commission in October are a direct result of listening to those most impacted. They clearly address the practical, genuine issues that matter most to people in Northern Ireland. Where implementation challenges have been rightly identified, the EU has proposed creative, credible and durable solutions. This is a

concrete demonstration of the EU's commitments to the people of Northern Ireland. Let us be clear: that is not just about business. We had headlines about worries about medicines, and I was very clear, as were all my colleagues, that there would be no issue with medicines. We have seen a clear follow-through on that commitment.

The EU is proposing to give greater voice and visibility for Northern Ireland in the implementation of the protocol. We want the protocol to work well; we want to see the real opportunities it presents fully realised. I heard what John O'Dowd MLA said earlier about companies in his constituency expanding that never have before, and we have seen so many examples. The nearest one to me is Norbrook in Newry, just up the road; many of you would have known the founder, Eddie Haughey, whose daughter Caroline went to university with me. They have said this is a game changer. There is Wrightbus in Ballymena, Nuprint in Derry, and Almac as well—that is probably the company you were referring to, John, in your constituency. Over 1,000 jobs, if I recall; an absolutely unprecedented investment.

We were talking about this this time last year, in terms of the best of both worlds. People said, "Oh, don't talk about that. It is too theoretical", but we are now seeing it in practice, and I have been telling my European colleagues. Where there have been some issues with maybe some lack of understanding of the protocol in far reaches of the European Union, we have gone to every Government and said, "Look, will you please let your businesses know the exact position in Northern Ireland—that it is part of the single market, and it is part of the customs territory of the UK as well—so they get to know that they can trade with Northern Ireland and invest in Northern Ireland?" There has been follow-through on that.

That is the piece of the story that I think needs greater focus and promotion on this side of the Irish sea as well. There are real benefits for Northern Ireland: that dual access is so important. Northern Ireland is a unique place to invest. Foreign direct investment in Northern Ireland is now at historically high levels. In terms of the Republic of Ireland, over many years, foreign direct investment is one of the key things that has brought about economic success. We want that success in all communities in Northern Ireland, so I think the protocol can deliver on the prosperity agenda for the people of Northern Ireland, and that should be our focus. All the people in Northern Ireland need to be, and will continue to be, heard.

The EU cannot resolve all of the issues: it did, after all, take two sides to agree to the terms of the protocol in the first place. Sustainable progress can only be made together, in a spirit of partnership and trust. The package that the Commission proposed provides a pathway to resolving outstanding issues, but Britain needs to be clear that it is willing and ready to work together with the European Union. I acknowledge the change of atmosphere in recent months, but there is still a long road to go. There is an opportunity before us to reach an agreement on the protocol, and I believe we can then move into a more positive phase as partners.

I have no doubt that a constructive future partnership is in everybody's interest. Every community in Northern Ireland has a strong interest in the British and Irish Governments working together and being on the same page. That does not affect anybody's aspirations, which are an entirely separate matter from the day-to-day progressing of communities and the economy in Northern Ireland. Ireland wants a very strong relationship with the UK, as does the EU, for the benefit of all our peoples. The UK may no longer be a fellow EU member state, but of course the EU and the UK share values: democracy, the rule of law, free media—exactly what the people of Ukraine are looking for. Whether it be post-covid recovery,

climate change or peace and security, there are global challenges that we are better placed to tackle when we work together.

British-Irish bilateral relations are now built on firm foundations. They have been difficult at many times. The most important part is the Good Friday Agreement 24 years ago. I certainly remember it extremely clearly. It was the fruition of long years of hard work, creativity and compromise on all sides. Let us remember that the agreement, which is rightly held up as an example across the world—people always talk about it—was the result of compromise and working together between Governments and the political parties in Northern Ireland. It marked the beginning of a new process of peace building and reconciliation, and the difficult task of delivering on the ambitious social and economic goals jointly agreed. It has not always been easy. Peace is slow and frustrating. There have been lots of challenges, setbacks and disappointments, but Governments and political parties continue to persevere, and the agreement is delivering.

*11.30 am*

Political parties are preparing for an election in the Assembly, and I wish them all the best of luck—it is not for us to get involved there. The period ahead will likely bring new challenges. Our focus now will be on working with the political parties and the British Government to support political stability and certainty into the future, no matter what the outcome. We know what is possible when the political parties and the two Governments work together and sit down at a table in a spirit of inclusion and compromise, and in the knowledge of what the people of Northern Ireland have already achieved. People do not want cliff edges or instability, but everybody—it does not matter whether you are in Dublin, Belfast or London—wants a system that delivers on the issues that matter most to you as a citizen.

There are always periods of challenge, but they should not obscure what has been achieved by the Good Friday Agreement. A whole generation has grown up not knowing about soldiers walking the streets—they have no experience of that. I am not going to say everything is perfect, but there is an ethos of justice, equality and tolerance that was not there in the past. There is more work to be done, but we have a foundation for achieving a lot more. The choices that we make today will define the future for many generations.

The Government, led by Taoiseach Micheál Martin, is working to engage with all communities and traditions on the island through the Shared Island agenda and Shared Island unit, which is in the Department of the Taoiseach. We want to build consensus around a shared future that is underpinned by the Good Friday Agreement and a practical approach to working together on many of the issues that matter to us, such as transport, tourism, health and education, where we can both benefit.

Other aspects of the foundations of our bilateral relations remain strong. Our two Governments have taken important steps to protect the common travel area, which will continue to allow Irish and British citizens to move freely and to live, work and study in both jurisdictions while benefiting from access to healthcare, education, social protection, housing and the right to vote in some elections. I acknowledge what Senator Ó Donnghaile and others have said about the issues with the proposed legislation, and the Irish Government is fully engaged on that. Indeed, I will be having some meetings later with other counterparts. It has been acknowledged by British Ministers as well, so let us hope we can all work together on that. I think it is a well-made point that we are continuing to work on.

Ireland's ambition for the post-Brexit era is to strengthen British-Irish relations by building on our strong foundations, and I believe we have clearly demonstrated our intent in this regard. We have supported enhanced use of the Good Friday Agreement's east-west bodies. The British-Irish Council summit, which was last held in Cardiff in November—I was not there, because I was at the Somme commemoration that day—and the British-Irish Intergovernmental Conference in December have facilitated substantive engagement and started to build for the future.

We have upgraded relationships and our footprint across Great Britain. In October, Simon Coveney opened the new consulate general for the north of England in Manchester and reopened our consulate in Cardiff, and he participated in the Ireland-Wales Forum. We have also signed new strategic co-operation frameworks with Scotland and Wales, and these partnerships are really important to us. Political contacts are strong. Minister Coveney met Foreign Secretary Truss in Munich. Indeed, I met Foreign Secretary Truss at the OSCE ministerial meeting in December, which was the thing that switched me on fully to the prospect of an invasion of Ukraine. I shared the concerns of Foreign Ministers that day. My colleague Michael McGrath was here in London last week, too.

Ireland and the UK have co-operated very strongly at the UN Security Council, and we appreciated the UK's successful chairing of COP26. We have obviously been very supportive, and we have been working together this week on issues surrounding Ukraine. I am very proud of the work of our diplomats and, indeed, British diplomats on this issue at the Security Council. It is very difficult. We had good co-operation last year as well, as we attempted to put the impact of climate on our security situation on to the agenda for the Security Council. Unfortunately, a Russian veto stalled us then as well, but there was very good co-operation between Ireland and Britain and the other members of the Security Council on that.

We look forward to looking at new ways in which we can do more together on the major challenges that we face. There is clearly great potential for bilateral contact. I think there were 54 bilateral contacts last year. I think that figure needs to be greater, but it is still very significant. The Taoiseach, the Minister for Finance and Minister Seán Fleming, who is also a senior Minister in that he is the Minister of State in the Department of Finance, will be making a visit. They will all be in Great Britain for St Patrick's Day programmes with a strong business and community dimension; they will be here during that week. There will also be bilateral visits to Ministers and colleagues.

We remain determined to make the most of the large and mutually beneficial commercial relationship. Even last year, which was a tough year trade-wise, the two-way trade in goods and services was worth €90 billion. That is really important. We talk about the protocol, and trade flows have changed—there is no question about that. Freeports and all that have been mentioned. But Belfast port has had a record year as well, so there has been huge success there too since the protocol.

Our community and family ties are equally important. How many Irish people travelled over yesterday to watch the football match—the big game? A huge number—certainly that I knew. They are mainly long-term Liverpool fans, I would think; certainly my neighbours were going. Those are the connections—the ties that bind. People have always followed English soccer and other cultural institutions. “Coronation Street” and “EastEnders” are on televisions every night in Ireland too; I think we all know that. In return, Irish people have made a

distinctive creative contribution to virtually every aspect of British society. Millions of people in Britain—possibly as many as 25%, one in four people—have some level of Irish heritage. Irish community organisations right across Great Britain have played a huge role in helping people through the pandemic. Over 14,000 Irish people are employed in the NHS. In fact, my wife trained as a nurse in the NHS—and, indeed, played for London in county-level football. Again, these are the different connections that we all have. Sport continues to bind us together in a special way. There was the Liverpool game last night, of course. I didn't manage to see the match, because of my travels, but of course a young Irishman was key to Liverpool's win last night. And I think 23 Irish-trained horses won at the Cheltenham festival last year. We want to see that sort of outcome again. I am not the most regular visitor to Cheltenham, but I can tell you that the ties between my county of Meath and Britain in terms of horses are extremely important.

In every aspect of society, we have really strong links. Look at the bid to host the European football championship in 2028. I hope that goes ahead. I know that Ministers will be meeting soon to discuss that. There is huge potential in that. So there is a huge amount of activity jointly. You don't need me to tell you, but it is important that we keep amplifying that ourselves. It is very easy for bad news to spread; sometimes it is more difficult for the good news to spread. In the next month, the metro Mayors of Manchester and Liverpool are visiting Dublin to further enhance the commercial relationship and cultural links between Ireland and the north of England. The Prince of Wales and the Duchess of Cornwall are also coming to visit Ireland, sometime in March, I believe. There will be other visits around that time as well.

As we look back at the last 100 years, the intertwined nature of the history of these islands and how much we have endured and experienced together, it is evident that relations ebb and flow, which is in the nature of these things, but in general we are in a more positive and, I would say, mutually respectful phase. However, the potential of these relations can be fully realised only if we can overcome our current challenges—in particular in relation to the Northern Ireland protocol and the outworkings of Brexit. I think these issues can be resolved, but that needs partnership, flexibility and good will. We have done it before and we can do it again. Current challenges should not blind us to all that is positive in the relations between our two countries. This very Assembly and our conversation—our encounter—here today are proof of that. The Assembly is in its 32nd year of existence. It started off in a very troubling phase of the Troubles, but as the seeds of peace were starting to germinate, this Assembly undoubtedly was part of that in bringing people together. I think that is living proof of how relations have improved dramatically. Go raibh míle maith agaibh. *[Applause.]*

#### **The Co-Chair (Andrew Rosindell MP):**

Thank you, Minister Byrne, for your remarks. We will now have questions from the floor. Could people please indicate to me early if they would like to say something or if they have any questions? The first two to be called will be Senator Victor Boyhan and then Steve Aiken MLA.

#### **Senator Victor Boyhan:**

First, I would like to touch on something that my Seanad colleague Emer Currie talked about, which is the legacy issue. It is something that you, Minister, did not touch on here today. It is something that, talking last night to many of my colleagues right across this Assembly, we

discussed. The common ground was interesting, and that is the benefit of the Assembly. The Assembly has not really taken a strong call on it, but the reality is that unilateral decisions, conversations and announcements are destabilising, undermining, subverting and weakening confidence and trust for the people of Northern Ireland, who must at all times be the focus of our deliberations. In closing, Minister, will you just share briefly—we are under time pressure—the Taoiseach's concern and the Irish Government's concern in relation to the proposed unilateral amnesty in connection with the legacy issues of Northern Ireland?

**Steve Aiken MLA:**

Thank you very much, Thomas, for your remarks. I have to be honest that I did not recognise what you were referring to when you were talking about the European Union and its relationship with people in Northern Ireland. Speaking as somebody who was a party leader and who met many times the European officials and Irish Government Ministers, for a long time I was talked to and was not listened to. The fundamental issue is around the Northern Ireland protocol, because when the Northern Ireland Assembly came back, the implications for the protocol were not known. The implications for the protocol are now known, and they are undermining the Belfast/Good Friday Agreement. We are in a situation now where unless something is done, there will not be a Northern Ireland Executive or a Northern Ireland Assembly, and we are going backwards. There needs to be a recognition in the Irish Government and in particular among the Europeans that this is the case. What are the Irish Government doing to make that perspective clear, rather than talking about things that, quite frankly, I do not recognise?

**Thomas Byrne TD:**

I will speak to Victor's points first and the issue of legacy. It is really important, and I absolutely knew it would come up in questions, so I did not address it in my comments. Just to be very clear, a statute of limitations is alien to our legal system, and we share that tradition with Britain. The statute of limitations for criminal actions is not something that we are familiar with in our legal system, and it is not something that we can support. It would be a fundamental change in our legal system.

You asked about the contacts. Minister Coveney is in direct contact with them and Secretary of State Lewis. I raised these issues with Minister Cleverly this morning. We fully agree that unilateral action is never good, and it is particularly bad in this case. I was really taken by Minister Burns's point about some of the meetings he had had with victims. Why wouldn't they be the most difficult meetings that he has had? It brings intensified hardship for families, and then when we have to discuss these issues, it makes reconciliation more broadly more difficult as well if there is a doubt about this. The Taoiseach was in touch with the Prime Minister before Christmas about legacy issues, just to speak to his role as well in that.

We need to see a significant change in direction at the political level to be able to find a collective and positive way forward—a significant change in direction from the British Government. We play our part to find a basis to move forward, but it has to be consistent with international human rights obligations and previous agreements, and we have been very clear to the British Government about that, too.

What I would say to Steve Aiken—thank you very much for saying that—is that I absolutely understand Unionist concerns about the protocol, but for those companies that I listed—there are more of them—that is reality. They are saying—

**Steve Aiken MLA:**

But I could give you exactly the same—

**Thomas Byrne TD:**

I know. I make that point because this time last year that was theoretical. In fact, the advice was, “Don’t mention that unless it happens.” It has started to happen. As I said in my remarks, the European Union, the Irish Government, I heard a Sinn Féin MLA say it—everyone recognises Unionist concerns, so that is why Šefčovič and co went to Northern Ireland to listen in particular to business in terms of, “What are your problems with the protocol? How can we resolve them?” The European Union put forward a massive package to solve almost all—the vast majority—of the issues that people have, and I understand that people feel disconnected.

I have to say, though, that the disconnection was Brexit. That is the disconnection. People in Northern Ireland did not vote for Brexit. The majority wanted to stay. The Good Friday Agreement was a compromise, and the protocol was a compromise, so not everybody is going to get what they want out of it. Northern Ireland is a single market for goods; it will not be a single market for services. There are lots of other EU complications that will affect Northern Ireland. The common travel area has already been mentioned. The little differences there would not have applied in the EU, but they will have profound impacts for people. So it is a compromise, and it is not perfect. If all of the UK was in the single market and maybe in the customs territory of the EU, that would have resolved pretty much all of those issues.

*11.45 am*

From our side—the EU side—we want to make sure that the burden for business and the burden for people is as low as possible, while making sure that the single market for goods in the EU is protected, remembering that that single market for goods in the EU is a huge advantage for Northern Ireland—a huge advantage. Grasp that advantage—grasp it.

On the EU/Irish side, in the discussions that are taking place with the British Government, our proposals have gone very far and we want to see them implemented, which could remove a huge part of the burden from business and citizens. I am an elected politician myself, but sometimes our approval ratings are not very high. Public opinion ebbs and flows, but the voice of business has been extremely well trusted by the people of Northern Ireland. When I hear business people in Northern Ireland, I never know what way they vote or what their position on the constitutional question is, but I know that they seem, from what they say, to have the best interests of all of the people of Northern Ireland at heart, and I think the people of Northern Ireland have seen and heard that as well, and trust them. They just want a better future, and the constitutional questions are utterly separate from anything that the European Union has done.

I have met Maroš Šefčovič many times. He sits every month on the General Affairs Council, and he has never mentioned Unionism, Nationalism or a united Ireland. It just doesn’t come up, and it is the same for all of my European counterparts. It is a matter for the people of Northern Ireland. They have been very clear about that. The European Union does not want to get involved in any constitutional questions. The protocol is built on the Good Friday Agreement, which itself is built on the principle of consent, and the European Union is coming to the table as an honest broker—as somebody that has, with the British and Irish

Governments over the years, been of immense support to the peace process, and continues to give that support to the PEACEPLUS programme, which I am really pleased to say is a joint effort between the Irish Government, the British Government and the European Union. It will help support Northern Ireland and border counties in the Republic as well. That is another example of co-operation, which is trilateral as well.

So we are trying to make sure that the genuine concerns that you and many people have raised are addressed, but that the position of Northern Ireland within the single market is protected, that the peace process is protected, and that the single market itself is protected, too, because it is so valuable, I believe, to all of us.

That is a long answer, but we are doing this from a bona fide point of view genuinely to make up for the hammer blow that was Brexit in terms of Northern Ireland. But it has happened and now we have to work with what we have. I acknowledge the constructive approach that has taken place with the British Government. The Joint Committee met last week for the first time in a long time. I had a very good engagement with James Cleverly this morning, and I know that that will continue between Liz Truss and Maroš Šefčovič. I am absolutely confident that this will lead to a better outcome and will not impact on the constitutional question. People need to have confidence about that as well to go out and say, “Northern Ireland is going to do better. Northern Ireland is a place you can do business.” We have worked with the European Union to try to reduce the burden on some businesses, particularly on the customs side and the animal and plant side as well.

**The Co-Chair (Andrew Rosindell MP):**

Senator Niall Ó Donnghaile is next.

**Senator Niall Ó Donnghaile:** Thank you, Co-Chair. [\[Irish spoken at 2:18:27\]](#) I listened intently to Steve Aiken’s remarks because, as my colleague John O’Dowd said earlier, we are very conscious of Unionist concerns. I have to say, from my own perspective, that I miss the voice of Unionism in the Seanad. I think we have lost out as a result of not having that voice in this 26th Seanad.

Minister, Steve spoke a lot about Unionist concerns, but there are, of course, other concerns out there. They are the concerns of the majority that we were taken out of the EU against our will, and that we have lost certain entitlements and rights, although I appreciate that some have been protected and that is welcome. Steve said that he could put equal amounts of figures to you. I do not know whether he could point to thousands of job losses, or whether there have been thousands of jobs created as a result of the protocol. One of the fundamental losses for us has been the opportunity to have people elected to the European institutions on our behalf. The fundamental right of any citizen is to have the right to vote. I remain an EU citizen, as an Irish citizen, but I am now denied the right to vote, like tens of thousands of others. I wonder, Minister, whether you have any view on ensuring that the voice of everyone—all of the concerns right across the board—is heard and is heard effectively and authentically from the community and from the various sectors in the North of Ireland going forward. Go raibh maith agat—thank you.

**The Co-Chair (Andrew Rosindell MP):**

Maurice Bradley MLA.



**Maurice Bradley MLA:**

Before I ask a question, can I thank everybody for their kind remarks about my colleague Christopher Stalford? It has been a sad time for Christopher's young wife and young family, and for the Assembly. It has been keenly felt within our party as well.

Minister, you made a fair speech there, but it was all based on the EU. We in Northern Ireland have a massive problem with the protocol, particularly within the Unionist family. It is not about job creation; it is about how it affects the consumer, the housewife, and the builder who cannot get his materials across because they have gone up in price, or they have been withdrawn from the market to Northern Ireland.

Minister, we are facing elections in May and if there is to be continued devolved government in Northern Ireland, the protocol has to be solved before we go to the polls in May. I would ask you, Sir, to urge your Government to do all that they can to ensure that those negotiations are concluded speedily before we go to the polls.

**Thomas Byrne TD:**

Go raibh maith agat, Seanadóir Ó Donnghaile [*Irish spoken at 2:21:15*]. The point you make is valid. Unfortunately, that is part of the outworkings of Brexit. What you see, correctly, as your right to be represented in the European Parliament, where decisions are being taken, is important, and that has left a democratic deficit. I leave the discussions to the negotiations, but, obviously, an objective on our side is that there would be more representation. We have the Joint Committee, which is a useful forum. Once we get over these particular issues, I think that it will continue to serve a purpose in terms of talking about real concerns.

Also, something that I have been very keen to get started—the pandemic and the continuing uncertainty have not helped—is for the presidency of the Council, whoever that is at the time, to engage directly with Northern Ireland, Northern Ireland business, community groups and politicians. It is not just the Commission, but the Council and the member states. Some parties are doing this and others are not, but it is very important to engage with other European parliamentarians in other countries.

I met a Green MP in Germany who is now a Minister. She was incredibly well up to speed on the situation in Northern Ireland from the context of her Green colleagues in Northern Ireland. Part of that led directly to lines in the German Government agreement—from what I could see, anyway—in terms of the commitment to the Northern Ireland protocol. That was my observation. I strongly encourage that type of engagement not just among us here, which is crucial, but across the European Union. It is about people in every community getting their stories out there. There is not one voice coming from Northern Ireland, and there shouldn't be; there should be various voices.

We are extremely keen to have this agreed. We wanted it done last year. It is very much in everybody's interests that it is done as soon as possible. The truth is that there are clearly issues with the protocol in the Unionist community and there are clearly issues with Brexit in the majority of the community—among Nationalists and lots of Unionists too, if we look at the results of the referendum—so it is all about compromise. Nobody is going to get everything that they want. The Good Friday Agreement did not give everybody what they wanted, and this will not either, but if we can agree it, it will be the best possible solution for

all the people in Northern Ireland. It should not be seen as threatening; it should be seen as an opportunity.

You talked about the crisis, and I know it is different circumstances, but in the Republic of Ireland we are affected by the massive increase in bureaucracy now, due to Brexit, for imports from Britain. It is absolutely huge. Prices have gone up because of that. Brexit has caused that. In Northern Ireland, because of the different circumstances there, it is our objective and I think the British Government's objective—of course it is—to reduce that burden in Northern Ireland to the lowest extent possible while protecting the single market.

May I also make this point about the single market as regards the European Union? It is not some theoretical concept; it is designed to give consumers the best possible standards of goods that can be achieved. That is what the European Union has always tried to do. The British Government, I have no doubt, have similar objectives for their goods, and that is why I think that we should be able to come to arrangements that protect everybody.

A lot of work is going on. Some progress is being made, but quite frankly we would wish for a whole lot more progress.

**The Co-Chair (Andrew Rosindell MP):**

Thank you, Minister. John O'Dowd MLA, then Lord Kilclooney.

**John O'Dowd MLA:**

Thank you, Co-Chair. As I said, this is my first meeting, and I am wondering whether colleagues from beyond the island of Ireland are maybe a wee bit frustrated at listening simply to the topic of the protocol and the challenges that are there. I suspect that there is also some jealousy, as regards my previous remarks, with thousands of jobs being created in my constituency, factories opening, expansion going on and all those things.

On what Niall said, as a European citizen who carries an Irish passport, I have lesser rights than the Minister sitting at the front, who also carries an Irish passport and is a European citizen. We have had to compromise ourselves in relation to Brexit and in relation to the protocol. We have had to take a responsible position in relation to that.

Sometimes in politics, it is not those who shout the loudest within your own ranks who are right; they are the ones you have to stand up to. There is a challenge like that within political Unionism. I am not here to lecture anyone, because I know that my Unionist colleagues would not take a lecture, but there is a challenge for Unionism: to stand up to those within their ranks who are peddling myth and lies, and who are using the protocol as a political objective to undermine the Assembly and the power-sharing institutions.

Before Minister Conor Burns left, he put out his challenge again: he wants all political parties to commit pre-May to power sharing after the elections. I can confirm here today that, regardless of the outcome of that election, we will commit to power sharing after the election. There is a challenge there for our Unionist colleagues to do the same.

**The Lord Kilclooney:**

When we negotiated the Belfast Agreement, the Governments of the United Kingdom of Great Britain and Northern Ireland and of Ireland committed themselves in article 1 that there

could be no change in the status of Northern Ireland without consulting the people of Northern Ireland. Does the Republic of Ireland still honour that agreement?

Secondly, Minister, I think you are somewhat selective about the effect of the protocol on Northern Ireland. You mentioned various industries. The bottom line is an important one: trade from Northern Ireland to Great Britain has been reduced by 40% in the last year. My colleague from County Armagh—O'Dowd, Sinn Féin—mentioned one or two industries that have been creating new jobs in his constituency in his constituency in our county of Armagh. Once again, he was very selective. Tesco, Sainsbury's—200 firms have stopped sending exports from Britain to Northern Ireland. Two hundred. Sainsbury's has announced its closure in his constituency, with a loss of 100 jobs last week—not mentioned. *[Interruption.]*

**The Co-Chair (Andrew Rosindell MP):**

Order. Thank you, Lord Kilclooney. Minister.

*12 noon*

**Thomas Byrne TD:**

Just in relation to what John O'Dowd said, we certainly encourage that as well, obviously. We want to see the power-sharing Executive working, no matter what the outcome of the elections is. The one thing I certainly know, and the Germans know as well from their recent election, is that you cannot predict the result of any election months out from it. The SPD and Olaf Scholz were so far behind in the polls, it wasn't funny, and now he is the leader of Germany and one of the leaders of the free world, so I would give that lesson to all parties. My party has taken a lash from time to time as well; we will continue to go up and down, as I think all of us will. Politics never stays the same, but I repeat that point that nobody gets everything they want.

In relation to what Lord Kilclooney said, the principle of consent is the foundation of our approach to Northern Ireland. The Good Friday Agreement is our approach to Northern Ireland; there has never been any doubt about that, and there will never be doubt about that. What I will say, though, is that Brexit has unsettled business. It has unsettled trade; it has changed things. That is a reality, so again with Brexit, there have been ebbs and flows. When you look at some of the British supermarkets, I do not know, but I wonder whether they were ready for Brexit. If you look at Lidl, there were no issues whatever in their supermarkets. You can look at SPAR, and the Henderson Group, I think, has had a massive expansion in Northern Ireland. I have to say, on the Almac announcement, it was over 1,000 jobs. I was welcoming this; people were saying, "Why are we not getting these in Meath?" It was a massive job announcement. Any constituency TD or MLA would be dancing in the streets if 1,000 jobs came to their constituency, and that is what we want to see. MLA O'Dowd mentioned that, and I think all of us should feel that.

I have recognised that there are problems in the operation of the protocol. The European Union has recognised that, so your concerns have been recognised. I am not just here to tell one side of the story; I have told it because I think we need to amplify good news and encourage more to do the same, but we also recognise there are problems. That is exactly why these talks and discussions are going on between Ireland and the EU, to rectify and deal with those concerns that you and many colleagues here have mentioned. We will do that in a constructive way, based on the Good Friday Agreement.

**The Co-Chair (Andrew Rosindell MP):**

Minister, thank you very much for your speech and for answering questions today. We are delighted that you have come to join our assembly meeting here in London, and I think you have made many new friends. We look forward to continuing to work with you, so thank you very much for your attendance. *[Applause.]* Will you be joining us for lunch? I hope you have time to be with us.

**Thomas Byrne TD:**

I will do my best. We have a lot of engagements here today.

**The Co-Chair (Andrew Rosindell MP):**

Then we will be seeing you later on at the embassy, no doubt. Fantastic—thank you very much indeed. We will now move on to the next session, and I am going to hand over to Brendan to chair the session with the leader of Her Majesty’s Opposition.

**ADDRESS BY THE LEADER OF HER MAJESTY’S OFFICIAL OPPOSITION**

**The Co-Chair (Brendan Smith TD):**

Thank you, Andrew. I am very pleased to call our next guest speaker, the right hon. Sir Keir Starmer MP, leader of Her Majesty’s Official Opposition, to address our assembly. *[Applause.]*

**Leader of Her Majesty’s Official Opposition (Rt Hon Sir Keir Starmer MP):**

Thank you very much, and thank you to all of you for inviting me to be here today. It is a privilege to join you for this 61st plenary session, and it is a real honour for me to be addressing you for the first time as leader of the Labour party. It is a real privilege to be here to do that, and to be here in person to do that—we all know what a difference that makes. I am proud that we have Labour representatives here from the Senedd and the Scottish Government as well. I know it is the first time you have got together in person since 2019.

I will start, if I may, by paying tribute on behalf of the Labour party to Christopher Stalford, whose loss has been felt in the DUP family but also, I think, on all sides of the political aisle. The tributes paid across both islands marked a life that was filled with public service. I wrote to his wife and family, expressing my condolences and hoping that the tributes across both sides will give her and the family some comfort in their loss. Of course, we all remember Sir David Amess, a proud member of this group, tragically killed last year in the most appalling of circumstances.

It feels like this important meeting of an assembly focused on bilateral co-operation could not be more appropriate as world events unfold. We are gathered here today against a dark sky, as we see something we hoped we would never see again, which is war in Europe. I fear that these dark days will get darker still. I know that will be uppermost on the minds of so many people in this room. I do think that if we act now together, with the swiftness, seriousness, and unity that the situation demands, we will—I hope—look back and say that this was the moment that Putin sealed his own fate. Working together we can bring about an end to the senseless loss of life in Ukraine, and Putin’s bandit regime. From that, I hope that we can emerge into the light, stronger, more united and, I think for today’s session, with a renewed

appreciation of the things that we hold dear. Because this week has brought home to us that the relationships we share, and how we uphold them, must never be taken for granted. It has given us pause to think about those relationships.

The relationship between Britain and Ireland is a profound one; it matters personally to me, and it matters to the Labour party that I lead. It is also a relationship that matters deeply to the people across both of our islands. As the great John Hume once said,

“We are two neighbouring islands whose destiny is to live in friendship and amity with each other.”

As we look around today at events around the world, I think there is a deep sense of gratitude and appreciation for the peace that we share. While we know there are challenges that we must meet—you will be discussing them today—and that we must not just meet them, but overcome them, we also know today of all days that it is our privilege and our duty to work through them peacefully and together.

Beyond our islands, the modern relationship that we share is an example of the promise of peace. That is something that we should never take lightly. Because of the enormous sacrifices of those who delivered on this peace, we have the solemn duty to protect it and to uphold it. We must never forget how it was forged, and the compromises that were made to achieve it.

Many of you will know that I spent some of the most important years in my career in Northern Ireland, working as a human rights adviser on the Northern Ireland Policing Board, an institution created by the Good Friday agreement. In that decade there was an indispensable partnership between the UK and Ireland, as co-guarantors of the Good Friday agreement. That pushed forward peace, and it pushed forward progress. That progress, I often reflected—though difficult and painstaking—could not have happened without the two Governments standing side by side every step of the way. Every step of the peace process would have been harder, possibly impossible, without it. We must always remember that.

In the new post-Brexit era, our relationship matters more than ever. As friends and partners, we have to be frank about the challenges and difficulties that we now face. Whatever views people hold, few would deny that Brexit and the last five tumultuous years have been profoundly destabilising for Northern Ireland and the entire island of Ireland, placing a strain on our relationships. The importance of trust in Northern Ireland cannot be overstated. I was struck when I visited Northern Ireland in July of last year by how low the levels of trust were—that was the biggest reflection I had as I left Northern Ireland. That is dangerous, and deeply concerning as a development, because that trust matters more than anything.

In my view, the instability over the protocol has gone on for far too long. Much of it stems from the Government’s deception about what it is. “No change for business” was never going to match the reality, and businesses knew that. When it comes to the protocol, this Prime Minister negotiated it, ratified it and legislated for it—now he must make it work. It would be a complete dereliction of duty to block pragmatic ways forward; that would harm stability, jobs, trade and livelihoods in Northern Ireland.

Over Christmas, it was possible to reach an accommodation over medicines. It was a slightly odd arrangement, with both sides making unilateral declarations compatible—but, by Boris Johnson’s standards, it was progress. There is no reason why further, more functional

progress cannot be made in good time, but only if this Government put the interests of all in Northern Ireland first, not a faction of their own party.

We all know in this room that we can never allow acrimony and mistrust to become the norm in the political relationship between these islands. Frankly, the stakes are too high. The lessons of the last 25 years are clear. When the British-Irish relationship is strong and works well, progress and stability in Northern Ireland are much easier to achieve. Our relationship matters and it matters deeply. It must be based on respect for each other, as equals and as friends.

Ireland shares our core values on the UN Security Council. They are our greatest friends, and our nearest and largest trading block—co-guarantors, not consultees, of the Good Friday Agreement and the progress that is yet to be made. Britain's interest does not lie in cutting ourselves off from our closest friends and partners, nor in provoking hostility. Labour believes that Britain's national interest lies in a strong, close relationship with Ireland. We saw under the last Labour Government just how much could be achieved. In the years to come, the relationship between Britain and Ireland will remain a vital and uniquely important one to me.

Those who came before us made difficult choices and sacrifices to get to where we are. As we face challenging times, we must always be guided by the principles and the spirit of the Good Friday Agreement to help navigate our way. I am deeply concerned about the collapse of the Northern Ireland Executive and I implore all parties to return to Stormont. This is a time for leadership. The Prime Minister of the United Kingdom has a responsibility to use his position to try to broker progress.

All of us in this room care about the importance and future of this relationship and will be involved in shaping it. Let us resolve to meet the difficulties we face and to do that together. The people of both islands expect us to do so, and they deserve no less. Together, out of the painful last few years, let us build a stronger future and be the example that the world needs of what it means to defend, value and cherish a legacy of peace. Thank you, Chairman. *[Applause.]*

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Sir Keir, for your comprehensive address covering so many issues, both bilateral relations and international relations from both countries' points of view.

**Colin McGrath MLA:**

Thank you, Sir Keir, for your address. I want to reflect on one of the elements you mentioned. I did not support Brexit—the majority in the North did not—but we have been left with the impact of it, some of which has already mentioned been today. What is your assessment of the fact that between 2017 and 2020 we did not have a voice here in Westminster and we did not have an Assembly to be able to address the issues? What warning does that give to certain parties who are still going to use withdrawal from the Northern Ireland Executive and Assembly as a threat? What will the impact of that be?

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Colin. We are very limited timewise—the Leader of the Opposition has other commitments. I have a number of people offering; I will group all questions, and I ask for brief interventions, please. Pauline McNeill MSP.

**Pauline McNeill MSP:**

Keir, it was great to have you in Scotland just a few weeks ago to talk to lawyers and advocates—I know you are on comfortable territory there. We have had a lot of discussion in Scotland about legal reform. One of the issues that has not been mentioned by anyone so far, and there are big issues facing our countries including the Ukraine crisis and post-Brexit, but I believe there is a crisis with violence against women. We know that it is the first anniversary of Sarah Everard’s murder this week, in fact, and she is one of many women who have been murdered.

I believe that there is a crisis globally in the extent of violence against women. In the Scottish courts, nearly 70% of all the delays in the court proceedings are cases involving women and children. So, I say it is a crisis, and I wondered, Keir, if you think that—it is obvious common ground of all the parties here, and of course this assembly is so important for these big issues—so, I wondered if you shared the view that at some future point we need to discuss how we combine together and tackle what is an international, indeed global, crisis of serious violence against women and girls.

*12.15 pm*

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Pauline. Brendan Howlin TD.

**Brendan Howlin TD:**

Thank you, Co-Chair. Could I just ask Keir a question in relation to the Labour party’s view on the Amnesty Bill? I attended a meeting in Belfast City Hall and I have to say that in my political career it was the only meeting I attended where every single shade of political opinion in Northern Ireland was on the same page in terms of opposition to it. How do you see it panning out in Parliament here?

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Brendan. Steve Aiken MLA.

**Steve Aiken MLA:**

Thank you very much indeed, Co-Chair, and thank you very much, Keir, for your speaking here. First of all, may I make a declaration of interest? As a member of Unite, I actually voted for you. *[Laughter.]* So that’s an unusual issue there.

However, my question is much more serious. Keir, if you are Prime Minister, will you be a strong advocate for all of the United Kingdom and make it abundantly clear that you will make the case for everybody, particularly in Northern Ireland, that the United Kingdom is the way ahead and where we should be indeed, particularly if you’re going to be the Prime Minister?

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Steve. Senator Emer Currie.

**Senator Emer Currie:**

Thank you, Co-Chair. I hope my colleagues forgive me for asking a question similar to the one I asked Minister Burns earlier, but this is being livestreamed and I have been asked to ask you directly as well for your views on the Command Paper on legacy and the statute of limitations.

Minister Burns said that the prospect of prosecution is lessening over time, but we know this and, more importantly, victims know it. However, you need criminal investigations to get to the truth and you need criminal investigations to be human rights-compliant. So, can you please outline the Labour party's views on this important matter today? Thank you.

**The Co-Chair (Brendan Smith TD):**

Thank you very much, Emer. Keir, you are getting away lightly with the number of questions, so we give you the opportunity to respond as comprehensively as you can, please.

**Rt Hon Sir Keir Starmer MP:**

Thank you very much.

Colin, in relation to Brexit, whichever way people voted, it has caused a number of difficulties—there is no doubt about that—that we have all got a duty to work through. That is why I said what I said about the protocol.

Obviously, the last five years have been difficult. It has put a real strain on the relationship, because the implications of Brexit are simply different in Ireland and Northern Ireland to other parts of the United Kingdom, and it is not sensible to pretend that the impact everywhere is the same.

In that period, we have worked through a number of the difficulties; there are further challenges ahead. For those challenges to be met, we need to work together and we need leaders on the pitch. That is why I have always been concerned when there has been a vacuum, whether that is here or whether that is in Northern Ireland, or anywhere else, because as we work forward we need our political leaders on the pitch, so that we can go forward together on this. Among the profound lessons I learned when I was working in Northern Ireland is the need to bring communities with you on the journey, not to inflict and impose things on communities. That is why you need your leaders there, operating in that way, and I hope that we can make progress.

Pauline, on violence against women and girls, thank you for raising that for starters. It is so important. When I was Director of Public Prosecutions for England and Wales for five years, it was among the biggest challenges that we had, because I was acutely aware that there were criticisms of the way in which cases of violence against women and girls were being treated in our criminal justice system.

I was even more profoundly aware that only one in 10 cases even gets into our criminal justice system. So, whatever we were doing to try to improve the response, 90% of the cases



were not even getting there, and that is about culture change, organisational change and the confidence of people coming forward in relation to what has happened to them. There is a huge amount of work that needs to be done and it is global. We need to do a lot more here. But for every bit we do on the criminal justice system—we need to do a lot—we need to do just as much for those cases that are not coming anywhere near our criminal justice system.

Brendan, on the amnesty Bill, again, where do I start on this? I was Director of Public Prosecutions for England and Wales and I worked closely with the DPP in Northern Ireland. I know, and everybody knows, that the longer it is since something may or may not have happened, the more difficult it is to prosecute. That is actually the case for all criminal offences, and there is not a particular category where it is more difficult than for others, but that does not mean that you simply say, “There won’t be any action taken whatsoever.” I am very concerned and against the Government’s proposals.

My starting place whenever I try to answer a question like this, particularly in Northern Ireland, is with those who were most impacted: the victims—surviving victims in some cases—and/or their families. When I was in Belfast in Northern Ireland last July, I went to those groups to ask their views about this, and they were very clear that they did not approve of these provisions. By the way, they were also clear that they had not been consulted properly about them. Again, in Northern Ireland, to proceed without consulting those most interested is usually to make a huge mistake. When we add to that the lack of political support in the political parties, I think that the Government really need to take that off the table, reflect on it and think again, because I do not think it is the right way forward.

Steve, thank you for your vote, by the way—I declare my interest in receiving it. Of course, I want to be an advocate of the whole of the United Kingdom and will do so. As I want to be Prime Minister, it is very important that I make that absolutely clear. But I will also be absolutely clear that the role of the Prime Minister is to be the honest broker under the Good Friday agreement. That is why I said what I did about trust, because that honest broker role is hugely important. It requires nuance, understanding and a lot of consultation and confidence building. I was saddened on leaving Belfast last July, because, in all the years I have been working in Northern Ireland, I felt that confidence in the UK as the honest broker was at the lowest I had ever known it. That was the big takeaway concern that I had.

Emer, on legacy, I have said what I have said. You mentioned in particular the passage of time. Yes, of course, it is much more difficult to prosecute, because usually the longer it is since something happened, the harder it is to set about proving what may or may not have happened. That is a general principle. It is actually accommodated in the criminal law. When prosecutors and police look at codes, one of the factors that they have to take into account is the passage of time in relation to the offence. But it is not a bar. So in all the time that I was prosecuting in England and Wales as Director of Public Prosecutions, yes, we took into account the passage of time, but we did not treat it as a bar to justice.

There are many examples of cases that I have been personally involved in—Stephen Lawrence is one—that show that even when there has been a considerable passage of time, it is still possible to bring a prosecution, even if sometimes you thought it was not, because of the emergence of different or new evidence. That is why I do say to the Government that in my view those proposals should be taken off the table and reconsidered.

Thank you so much. Thank you for having me. [*Applause.*]

**The Co-Chair (Brendan Smith TD):**

I thank Keir again for his comprehensive address at the outset and for his engagement with colleagues on a range of very important issues through questions. Keir, we are very appreciative of your contribution here today.

**The Co-Chair (Andrew Rosindell MP):**

Let me tell you what we will do now. In a moment, we will suspend the Assembly's session for this morning and go into Westminster Hall, where we will have a group photograph of everybody, please, on the stairs by the IPU and CPA rooms. Amanda will show you where to go. We will go down the stairs and across Westminster Hall—a number of parliamentarians from the UK will show you where to go. Please gather there.

After that, we will take you through Central Lobby and the House of Lords to the Cholmondeley Room, where we will have lunch. We will be joined by the Lord Speaker at 1 o'clock. So we will go straight from the photograph to lunch, and we will reconvene back here in Westminster Hall to start the session at 1.45 pm.

*The sitting was suspended at 12.25 pm.*

*The sitting was resumed at 1.57 pm.*

**ADDRESS BY THE LEADER OF THE DUP**

**The Co-Chair (Andrew Rosindell MP):**

Good afternoon, ladies and gentlemen. It is my pleasure to welcome to our Assembly this afternoon the leader of the Democratic Unionist party, the Rt Hon Sir Jeffrey Donaldson MP. Jeffrey, it is a pleasure to welcome you to the British-Irish Parliamentary Assembly this afternoon, and I invite you to address Members gathered here today.

**Leader of the DUP (Rt Hon Sir Jeffrey M Donaldson MP):**

Thank you very much, Andrew. As a former member of the British-Irish Parliamentary Assembly, it is a pleasure to join with you once again and to have the opportunity to discuss the challenges facing these islands and the need for all of us to work together to deliver lasting solutions. At the outset, I want to make clear my desire, and that of my party, to find a resolution to our current challenges that works for all parts of these islands—to achieve a lasting solution that has the collective support of all of our people, which could deliver on the promise of a better future.

When people feel forced down a particular path, that is rarely the route to a long-term and lasting solution. Any agreement that fails to win the hearts and minds of all communities in Northern Ireland will ultimately fail the test of time. It has been a long-established norm that arrangements and agreements can only flourish when supported by both Unionists and Nationalists in Northern Ireland. That has been the very foundation of any and all political progress in Northern Ireland, and that must be the template moving forward if we are to achieve our collective goals. One of the most disturbing characteristics of this period has been the total disregard of this fundamental principle. If we are to find lasting resolution to the questions facing us, then we must return to the politics of consensus. Humiliation of one side by the other is not the answer. Reconciliation will not be achieved through retribution.

In July last year, when I was elected leader of the Democratic Unionist party, I made clear that restoring the constitutional balance that was achieved by the Belfast and St Andrews Agreements was the only path to stable and sustainable government in Northern Ireland. Many of you here will be only too well aware of the painstaking work and sacrifices made to achieve our current political arrangements—arrangements that at their heart recognised Northern Ireland’s constitutional position within the United Kingdom and respected our unique circumstances, delivered support for the delicate balance of relationships on these islands and ensured progress was made on the basis of all communities moving forward together.

Those who claimed that the Northern Ireland protocol is designed to protect the Good Friday Agreement and the political institutions that were created by it must surely now recognise that the three sets of relationships covered by the agreement have been damaged since the protocol was implemented. The continued imposition of the protocol upon Northern Ireland has cast its long shadow over our political arrangements at Stormont, as well as on a North-South and east-west basis and on the everyday lives of our people. The genuine concerns and objections to it cannot be wished away, nor simply ignored. Only by recognising the fundamental flaws of the protocol can lasting replacement arrangements that command the necessary support be put in place.

As the leader of Northern Ireland’s largest party, I must stress that the problems of the protocol are not simply confined to Unionists, but affect the everyday lives and livelihoods of everyone in Northern Ireland. It is an undisputed fact that Northern Ireland purchases from Great Britain more than four times that which it purchases from the Republic of Ireland. Great Britain is by far our biggest market. Therefore, any barriers to trade with our largest market will inevitably lead to devastating consequences.

Every day Northern Ireland is subjected to some new protocol problem that bedevils a business, a consumer, a sector or the population as a whole. Every day, it is estimated that the cost of the protocol to our economy is around £2.5 million. Every day elected representatives of all parties spend time trying to advise constituents about navigating the new and ever-evolving arrangements born out of the protocol. At a time when households and businesses can least afford it, haulage costs between Great Britain and Northern Ireland have risen by 27% as a direct result of the protocol in the last year alone. In the middle of a health pandemic, the protocol jeopardised our medicine supply.

No business, no household, no person anywhere in Northern Ireland has been able to escape the harm of the protocol, and the current situation will dramatically worsen. This is just the tip of the iceberg. Why do I say that? Because the £500 million Trader Support Scheme currently in place to support and assist businesses will come to an end, and the grace periods that have temporarily shielded Northern Ireland from the worst excesses of the protocol will also soon come to an end. The EU has stated clearly that the current number of checks on the Irish sea are only 30% of what they should be. It is ridiculous that in the Irish sea, some checks carried out on that route amount to 25% to 30% of all of that type of check carried out across the whole of the European Union and all its borders. Independent reports have concluded that the protocol does not deliver the best of both worlds for Northern Ireland.

As a proud Unionist, I make no apologies for refusing to accept a protocol that for me and the people I speak for represents an existential threat to the future of Northern Ireland’s place within the Union. The High Court has ruled that the protocol suspends key elements of the

Acts of Union, in particular article 6, which previously guaranteed the right of every citizen and business in Northern Ireland to trade freely with the rest of the United Kingdom.

That right has been removed. I do not believe that British citizens in any other part of the United Kingdom would accept such a fundamental denial of the right to trade freely within their own country. I do not believe that any Unionist could ever accept the denial of the basic right of Northern Ireland to trade freely with the rest of the United Kingdom. That is why we have made clear that we will simply not tolerate a situation where an internal customs border in the Irish sea separates us from our biggest market in Great Britain.

The protocol changes our constitutional status as part of the United Kingdom, and the longer it remains, the more it will harm the Union. If the Irish sea border is left in place, the divergence between Northern Ireland and the rest of the United Kingdom will grow—without a single vote being cast. The protocol will have reoriented our supply chains and our economy away from Great Britain.

That is why every elected representative of the Unionist community opposes the protocol in principle, as it fundamentally alters Northern Ireland's place within the United Kingdom. That is why I warned the Governments in London and Dublin of the inevitable consequences if the Irish sea border was not removed. That is why I gave time and space—many months—for talks between the EU and the UK to succeed.

The decision by the EU to ignore and dismiss our concerns has made the situation unsustainable. I have offered the EU practical and reasonable solutions. The decision by the UK Government to abandon their commitment to Northern Ireland's place within the internal market of the United Kingdom has made the actions that we have taken necessary.

The New Decade, New Approach agreement was the basis on which we restored the political institutions at the beginning of 2020. It contains a clear commitment from the UK Government to introduce measures to protect Northern Ireland's place within the UK internal market. However, two years later, the UK Government have failed to bring any such measures forward. I am expected to sit in a Government in Stormont on the basis of an agreement that has not been honoured by our own Government—that is not a sustainable position.

For all our citizens, we ask for nothing more than arrangements that fully respect Northern Ireland's position as a constituent and integral part of the United Kingdom. Just as everyone is affected by the implementation of the protocol, we can all benefit from solutions to these problems. The economic prosperity and political fortunes of these islands are firmly intertwined. The interests of all our people—North and South, east and west—are undermined by the outworking of the current arrangements, which need to be addressed urgently.

I truly value partnership working with our neighbours in the Republic of Ireland and I believe that we all benefit from strong British-Irish relations. However, there can be no hiding from the fact that recent years have not been conducive to building better relations on these islands. The damage caused to the east-west element of our delicate political settlement in Northern Ireland by a protocol—which, I have to say, was pushed for and led by the Irish Government within the EU—has, unfortunately, undermined North-South relations.

Northern Ireland should not be used as a pawn in a diplomatic chess match where one side must win and other must lose. All concerned parties must pause the clock, step back and look at the bigger picture. There is a better way forward—one that can truly deliver a better outcome for all our people. We have previously outlined how we appreciated the need for the European Union to protect the integrity of its single market; now is the time for others to appreciate the need for the integrity of the United Kingdom's internal market and for Northern Ireland's place within it to be protected. There are solutions if the political will is there.

Like many others present, I have spent most of my public life working for solutions and stability in Northern Ireland. It has been a difficult road at times. The ultimate goal was to deliver a political settlement that worked for everyone and to foster relations to give people who live in Northern Ireland control over their own affairs.

Respecting difference and securing consensus became part of the political language in Northern Ireland, yet, unfortunately, the protocol undermines much of that work. The foundation of political progress in Northern Ireland has been moving forward together. That is not possible if one community is sidelined or ignored. We must tackle the instability eating away at the heart of our politics if we are to build on firmer foundations. The long shadow of the Irish sea border must be removed from our politics. It is holding us back. The challenges ahead seem many, but the prize to be secured will be worth all the effort. Now is the time to repair our politics, reset relations on these islands and ensure and restore fairness for all.

**The Co-Chair (Andrew Rosindell MP):**

Thank you very much, Sir Jeffrey. Can we have an indication of who would like to ask questions?

**Nigel Mills MP:**

Jeffrey, thank you. It strikes me that the only solution to this in the long term is that all sides have to accept a porous border on the island of Ireland and between the mainland and Northern Ireland. The key to getting that is to have trust and confidence in each other's processes, so that we can rely on each other's standards, rely on each other to stop illegal stuff moving and that we can trust each other. Are you saying that none of that can be done on the Irish sea at all and that there cannot be any data sharing of goods going on and off the island of Ireland? Are you saying that no matter how well the protocol was reformed and no matter how few those checks were, that that is it, there can be no future for the protocol, and we have to find a wholly new arrangement? Or is there some scope where you would accept sufficient improvement that actually made the whole process work as part of a reform?

**The Co-Chair (Andrew Rosindell MP):**

We will take the next question and then take two together.

**John O'Dowd MLA:**

Thank you, Sir Jeffrey, for your contribution to today's discussions. I listened with interest to your speech. You talked about consensus, respect and acknowledging others' points of view. Unfortunately, all of those things were absent when it came to Brexit. We on this side of the debate were urging yourself and others to take a step back from Brexit. You just went for the hardest Brexit possible. You were used and abused, in my opinion, by the Conservative

Government. We have ended up with a compromise: the protocol. I believe the practical issues around the protocol can be resolved. I believe this idea that the protocol is going to be removed is a fundamental mistake in strategy moving forward. Conor Burns, the Minister of State set us all a challenge this morning. He asked all parties to commit to returning to power sharing ahead of the 5 May election. I have already put my party's position on the record; we will be returning to it regardless of the outcome. Can you commit to this Assembly today that the Democratic Unionist party will return to the Executive, regardless of the outcome, and even if Unionism isn't the largest party?

**The Co-Chair (Andrew Rosindell MP):**

Sir Jeffrey.

**Rt Hon Sir Jeffrey M Donaldson MP:**

First, Nigel, thank you for your question. There have been for many decades checks on certain products moving across the Irish sea. That has always been to protect the integrity of our agrifood sector. I will give you a couple of examples of what we have at the moment, because I think it is important. I spoke to a constituent last week who is disabled. She is confined to a wheelchair and has a disability adapted vehicle. The ramp on the back of the vehicle that enables her wheelchair to enter the vehicle broke. She needed to obtain a spare part from the supplier in Great Britain. She was told emphatically, "You cannot have that spare part for the disability ramp unless you are registered with HMRC and have an EORI number that enables you to trade with Great Britain."

Ladies and gentlemen, that is how ridiculous this protocol is. A lady with a disability, who simply wants to repair the ramp on her disability vehicle, cannot obtain the spare part from the company in another part of her own country. What is the risk to the EU single market of that lady being able to repair her disability vehicle? Is she going to drive to Dundalk and breach the regulations of the EU single market? Come on.

There are many other examples I could give you. Frankly, it is offensive to me that my people are being treated this way in their own country. I dare say, all of you who represent constituents, if you had a disabled constituent who was treated in that way, you would be as angry as I am about it. This is not about protecting the EU single market; it is about a big game that is about punishing the United Kingdom for daring to leave the European Union, and Northern Ireland happens to be in the middle of all that.

*2.15 pm*

John, in relation to your question on Brexit, I am capable of standing on my own two feet. The Democratic Unionist party took its own decisions on Brexit. We were not manipulated by anyone. If you want to do a bit of research and read back over our manifestos going back a long time, you will see our position very clearly spelled out.

We can debate all day about the whys and wherefores of Brexit, but will that fix the problem? I do not think it will, John. Every time I present this difficulty on behalf of Unionists, I get the same response: "We don't want to hear it. It's Brexit. Suck it up." That goes back to what I said: is that really the way to build consensus? Is that the way to ensure political stability? John, I will gladly go back into an Executive if I get respect and action on the issues that

matter to me, just as you need and are required and entitled to respect and to have the issues that you feel are important dealt with.

We all signed up to an agreement—New Decade, New Approach. Last year, Sinn Féin threatened to walk away from the Executive because one element of that agreement was not being honoured—the Irish language provisions. I think everyone will recognise that our case within the United Kingdom is pretty important to someone who describes themselves as a Unionist. My ability to trade with the rest of my own country is very important, because the Union is not just a political union but an economic union. Article 6 of the Acts of Union makes provision for that economic union.

John, I am a democrat. I will respect the outcome of elections, but what I am not prepared to do is to bury my head in the sand, pretend these problems are not there and operate political institutions that this protocol stated it was designed to protect. Those relationships have been harmed. I want this problem sorted out. No more kicking the can down the road. Let us do this. Let us get this sorted out. And when it is and we have agreement, you will get a restored Executive and restored North-South institutions, and I hope it will also lead to better relationships on an east-west basis.

Sinn Féin is always at the front of the queue to say, “Everyone must honour the agreements they made.” Well, John, we need that agreement honoured—New Decade, New Approach. The UK will bring forward measures to protect Northern Ireland’s place within the UK internal market. That was hugely important for us in signing up to that agreement. It has not been delivered, and until it is, we consider that agreement dishonoured.

**The Co-Chair (Andrew Rosindell MP):**

Thank you, Sir Jeffrey. Who would like to go next? Just raise your hand and speak.

**Brendan Howlin TD:**

I would like to repeat Nigel’s question. I am not clear—is there a formula that can deal with your constituents’ problems, mitigate business difficulties and leave the structure of the protocol intact? Or is it your position that it is unamendable and must go, and that is the only solution?

**Maurice Bradley MLA:**

It is a question of trust for me. We, as Unionists, must be able to trust our partners. Part of that trust involves the NDNA agreement. We signed up to it. We believe that we had the agreement of everybody else onboard and we intended to honour it. Unfortunately, parts of it have not been honoured.

I do not think people around here understand the economic impact on the small man in Northern Ireland. We have had a few discussions here about big business and so forth, but it is the small man, who wants to order a part for a wheelchair, who wants to order something from Amazon, who wants to order something from a supplier in GB and cannot get it. Horticulture and agriculture are suffering. The building trade is suffering. The longer we delay in dealing with the protocol and having some sort of system in place that protects people like me who want to shop, order and have business with my fellow countrymen in GB, it is not going to work, and we need to realise that.

As a Unionist, I put my trust in the New Decade, New Approach agreement, and it hasn't been honoured.

**Rt Hon Sir Jeffrey M Donaldson MP:**

Brendan, thank you for your question. I did not fully answer Nigel's question—thank you for the opportunity to do so.

Is the protocol amendable? The protocol is based on a premise that the active Union should be altered in a way that creates a customs border in the middle of the United Kingdom. I do not see a solution, Brendan, that I can accept that embraces that concept, because I do not believe it is necessary.

Today, I can go online and order goods from a company. The company can tell me when the goods have left the warehouse. They can tell me when they are on the move. They can tell me when they have arrived at the port. They can tell me when they have arrived in Belfast and are in the warehouse. They can tell me when they have been dispatched, and they can even take a photograph of the package sitting on my gatepost to tell me it has been delivered—and yet we need men and women standing at a port in Larne physically checking lorries, for goods that will never ever leave Northern Ireland and are for personal consumption. Sainsbury's does not have supermarkets in the Republic of Ireland, yet it is required to subject all the goods it brings in for sale exclusively in Northern Ireland to all kinds of customs checks and paperwork. That is simply not acceptable, Brendan.

I believe it is possible to devise alternative arrangements that ensure that we can monitor the movement of goods that are destined for the EU single market. We can manage that risk. I am not suggesting that we put that on the Irish border. I do not believe that is necessary in the 21st century. I really do not believe it is necessary to have a customs man standing in the middle of a road stopping lorries when we have technology and other systems that can resolve the issues pragmatically and in a way that satisfies everybody's needs, including that of the EU.

Maurice, thank you for your question. It gives me the opportunity to give another example, of a small manufacturing company in Newtownabbey just outside of Belfast. It wrote to me recently with a breakdown of the additional costs it has incurred as a result of the protocol in bringing in component parts for their manufacturing process. For that small company, the cost of the protocol with the paperwork, the customs costs, the delays and the additional haulage costs exceed £100,000, for that small business. That may not seem like a lot of money, but to that small company, it inhibits their ability to employ more people, to expand and to grow their business. That is the reality of the protocol. That is how it is harming business, and we need to find solutions.

**Éamon Ó Cuív TD:**

I listened with great interest to what you said. One of the things we all have to learn is to listen to each other.

What I would like to try to find out or get clear is that, at the moment—on the big picture—Northern Ireland is both in the UK customs union and in the European single market. Do you see that as an opportunity to be exploited? You are the only territory that has that opportunity in pure trading terms. Is the objection based on the bureaucracy involved in moving goods



from GB to Northern Ireland and vice versa? Is it the practical issues that arise from this that are the problem? Do you see practical solutions to that, while retaining the viable asset of uniquely sitting in both single markets?

**Rt Hon Sir Jeffrey M Donaldson MP:**

You might argue that the arrangements are unique, but my difficulty is not in the practical outworking of these arrangements. It is a problem, but it is not at the heart. This is my frustration, as a Unionist: this is not being heard. These arrangements separate us not only from our biggest market—so it is not just a practical issue—but from the rest of the United Kingdom, in trading terms. They alter the economic union that is the United Kingdom. Those are not my words, but the words of the High Court in Belfast, who ruled that the protocol superseded article 6 of the Act of Union.

Now, I do not want a customs border separating me from my biggest market, but it is more than that, Eamon; I don't want a customs border between me and the rest of the country that I belong to, as a Unionist, because it harms our economic union. That is why we need to find arrangements. Look, I want to trade with the European Union—of course I do—and in 2016, the then First Minister, Arlene Foster, and the Deputy First Minister, the late Martin McGuinness, wrote a joint letter to both the Prime Minister and the Taoiseach making clear that, yes, there would need to be distinct arrangements that respected Northern Ireland's position. I believe that the protocol doesn't do that, because it alters not just the Act of Union but actually article 1 of the Good Friday Agreement, which makes clear that there will be no change to the constitutional status of Northern Ireland without the consent of its people. I take the view, as a Unionist, that when the economic union has been altered, that represents a change to our constitutional relationship with the rest of the United Kingdom. It is more fundamental than just ironing out the practical issues; we need to deal with the political issues as well, and I believe that it is possible to do that. I do believe that is possible to do that, but we need the will to achieve it.

**The Co-Chair (Andrew Rosindell MP):**

We have a few more questions, then we may need to wrap up, I am afraid, so we will hear from Niall, Ross, and then finally Lord Kilclooney.

**Senator Niall Ó Donnghaile:**

Thank you, Chair, and thanks, Sir Jeffrey, for your contribution. It is useful, and it is important that we hear it and listen to each other. Sir Jeffrey, I am just wondering, in the context of what you have said, what exactly the point was when you changed from advocating for the opportunities presented by the protocol, which you referenced in media interviews, I think in 2020. You also stated, I think with BBC Spotlight, that checks in the Irish sea did not present a threat to the constitutional status, if I am right in reflecting your words back to you.

I am just wondering what that point was, because I think that we all acknowledge—it has been stated in this session already—that there are, of course, many issues with the protocol, which need to be ironed out. There are, of course, scope and opportunities to do that through avenues such as the Joint Committee, but I think the overarching theme of the protocol—not to diminish any of the examples that you have listed—is what has been referenced here already. That is, the new industries created, and the new jobs that have already been created,

as a result of the protocol and, as Deputy Ó Cuív alluded to, the opportunities that exist further. I am just wondering if you could refer us to when that particular change took place in your own mind. Go raibh maith agat. Thank you.

**Ross Greer MSP:**

Jeff, I was interested in your mention of the use of technology as part of your proposed alternative to the protocol. Norway and Sweden would strike me as a useful example of an EU customs border that has a very smooth border as a result of the pretty extensive use of technology. However, what that, in turn, requires, is some pretty extensive and very visible physical infrastructure. I presume that, whether you put the physical infrastructure either at the ports or the land border, that will be understandably unacceptable to someone. Could you expand a little bit on what you mean by using technology to help solve this problem? I presume that it is not that Norway-Sweden solution.

**Rt Hon the Lord Kilclooney:**

I thank Jeffrey Donaldson for his contribution. He certainly represents the largest Unionist community in Northern Ireland. In article 1 of the Belfast Agreement, the Government of Ireland agreed and accepted that Northern Ireland was part of the United Kingdom, and that that status could not be changed without the consent of the people in Northern Ireland. Does Sir Jeffrey accept that the Dublin Government have now breached the Belfast Agreement?

*2:30 pm*

**Rt Hon Sir Jeffrey M Donaldson MP:**

First of all, thank you, Niall, for your question. My comments at that time—I think it was 2020—were prefaced on the clear understanding that the UK Government would deliver on their commitment in the NDNA agreement to protect Northern Ireland's place within the UK internal market. That agreement was concluded, I think, in January 2020. My comments were made towards the end of 2020, when the Government had introduced clauses to the United Kingdom Internal Market Bill that would have protected goods flowing between Great Britain and Northern Ireland, and remaining within the UK internal market. The customs checks to which I refer relate to goods moving into the European Union. But that is not what the protocol does today. The protocol checks all goods that are destined for Northern Ireland—or it has the potential to check all goods, albeit that not all checks are taking place at the moment, because of the grace periods.

I am very clear that accommodating checks, in whatever form that takes, or at least having access to data on goods moving from Great Britain via Northern Ireland and into the EU single market—I am sure there are practical arrangements that can be arrived at, but that does not alter Northern Ireland's constitutional position. What does alter our constitutional status is when those checks are on goods staying within the United Kingdom, as Lord Kilclooney has said, because that harms the economic union and the integrity of the UK internal market. There is a clear distinction here. I have laboured the point that you need to be able to distinguish between goods staying within the United Kingdom internal market—that is the bulk of goods moving across the Irish sea—and those goods that are destined for the European Union, and for which there is a customs requirement. It is a customs requirement for the UK, never mind for the EU. Those goods are leaving the jurisdiction of the EU or the UK, so there has to be some form of customs arrangement.

On the opportunities—we need to resolve these issues. We need to ensure that Northern Ireland can trade freely with the rest of the United Kingdom, and that that restores the integrity of article 6 of the Act of Union, and the UK internal market. If we resolve those issues, then of course we look to the opportunities to trade not just with our biggest market in Great Britain, but also with the European Union and the rest of the world. My sights are set much beyond the European Union, and I think that is very important.

Ross, on the question of technology and what that looks like, again, it is not necessary to carry out checks at ports in order to monitor the movement of goods that are destined to go into the European Union. Those checks can be carried out in businesses; they can be carried out at the point of departure, or the point of arrival. It is not necessary to carry out the checks at ports or in the Irish sea. I believe there are practical arrangements that can be arrived at that distinguish clearly between goods moving and staying within the United Kingdom internal market, and those goods that are destined for the European Union. Some of that involves technology, but it is not all technology. It involves the introduction of new systems that differentiate between those types of goods. I believe it is entirely possible to arrive at those practical solutions. That is not my word. I have heard from the experts who have worked on these things, from experts in customs systems and experts in technology. They believe the systems are there to do this in a way that does not require a customs border in the Irish sea.

Lord Kilclooney, on your final point, yes, I do believe that article 1 of the Good Friday Agreement has been breached in regard to the constitutional status of Northern Ireland—again, the High Court has confirmed this to be the case; these are not my words. This was tested in a court of law, and the court of law ruled that the protocol alters Northern Ireland’s constitutional relationship with the rest of the United Kingdom. That is the reality. In his summing up and direction, Mr Justice Adrian Colton made it absolutely clear that that is the case.

I do not believe that article 1 of the Good Friday Agreement, on the issue of constitutional status, merely relates to the final question as to whether you want to remain in the United Kingdom or to become part of some all-Ireland arrangement. I think our constitutional status is about more than the end destination; it is about the Union, which is a political and economic union. The Union has been altered by the protocol. Therefore, our constitutional status has been changed by the protocol. That disrupts, upsets and undermines the very delicate constitutional balance at the heart of the Good Friday Agreement. That is where we are. We can all wish it away, but the reality is that there is no Executive meeting in Belfast. There is no North South Ministerial Council meeting to enable co-operation to take place, and east-west relationships—I have heard this from both Irish and British officials and Ministers—are not the strongest that they have been, to put it mildly.

We can go on like this and ignore the views and concerns of people like me, but it will not fix the problem. When people in Washington tell us that the protocol is the answer and that we have to stick to it because it is there to protect the Good Friday Agreement, I have to say that it is not doing a good job at protecting the agreement. In the end, the agreement is not an agreement between Washington and Dublin, Washington and London, or London and Dublin. It is an agreement that, at its heart, is between Unionists and Nationalists in Northern Ireland. Right now, Unionism—collectively, together and with one voice—is saying, “We don’t like the protocol. It harms us, it harms our relationship with the rest of the United Kingdom, and it’s not acceptable.”

On that basis, I am afraid the progress that has been made has been upset and is being held back, and I want to make progress. I want to be back in those political institutions, and I want to see Northern Ireland moving forward. But as a Unionist, I am not going to be involved in accepting something that, in the end, is designed for my demise, and I would not expect a Nationalist to accept an arrangement of that nature if the situation were reversed. Consensus is at the heart of the Belfast/Good Friday Agreement. That consensus does not exist at the moment, and if we are to repair it, we need to sort this out.

**The Co-Chair (Andrew Rosindell MP):**

Sir Jeffrey, thank you very much for your candid words and direct answers this afternoon. It has been an important discussion to have, and I think that more discussions like this will have to take place in the coming months to resolve this matter once and for all, because we all want the same thing. You have laid out the challenges that you face at the moment very clearly, for everyone to understand. I hope we can all take these discussions back to our respective Parliaments and Assemblies, because a solution has to be found. Sir Jeffrey, thank you very much.

I will now hand over to Brendan, who is going to chair the next session.

**ADDRESS ON BEHALF OF SINN FÉIN**

**The Co-Chair (Brendan Smith TD):**

I am now pleased to call our next speaker, John Finucane MP from Sinn Féin, who will address the Assembly and then take questions. *[Applause.]*

**John Finucane MP:**

Colleagues and friends, I very much welcome the opportunity today to join all of you here at the 61st plenary meeting of the British-Irish Parliamentary Assembly. Like other contributors today, I want to preface my remarks by paying tribute to the work of Sir David Amess and Sir Jeffrey's colleague, Christopher Stalford, whose funeral took place on Saturday. I wish to echo the statements and sentiments of not just my party colleagues, but those right across political and civic life on the island of Ireland, and indeed here, who have paid tribute to the work of both individuals.

In six weeks' time, we will mark the 24th anniversary of the Good Friday Agreement—a cornerstone of our peace process. This allows us all an opportunity to reflect on where our politics and society regrettably once were during the very dark and tragic days of the Troubles and on the journey of transformation we have all travelled, and to take stock and assess the present realities that confront us in 2022—not least in the context of Brexit and its negative implications, which include the threat to institutions of the Good Friday Agreement itself. As of 3 February, when the DUP First Minister resigned from office in protest at the protocol, our local Executive can no longer meet to take decisions on behalf of the public we serve. The High Court in Belfast has ruled that the Democratic Unionist party's boycott of North South Ministerial Council meetings in protest at the protocol is an unlawful breach of the pledge of office.

The North South Ministerial Council is a central institution of the Good Friday Agreement, which expressly recognises

“that the North/South Ministerial Council and the Northern Ireland Assembly are mutually inter-dependent, and that one cannot successfully function without the other.”

The DUP boycott of the Executive and the North South Ministerial Council amounts to an assault on the Good Friday Agreement itself, and is not sustainable. It is destabilising for politics and society, and it is a direct result of the political fallout between the Tories and the DUP, both of whom championed the hardest possible Brexit, yet take no responsibility for its consequences.

I make no apology for defending the Good Friday Agreement. Although the protocol is imperfect, it mitigates the effect of the very worst impacts of Brexit on the North of Ireland, and it is a fact that no credible alternative to it exists. Brexit and the Good Friday Agreement are incompatible. Therefore, the solution to the Brexit problem is clearly the protocol, which both parties—the British Government and the European Union—together recognised the necessity for, in order to take account of our unique circumstances by avoiding a hard border; enabling the smooth functioning of the all-island economy; safeguarding the Good Friday Agreement in all its dimensions; and ensuring continued access to the single market, while also protecting its integrity.

The withdrawal agreement and its protocol established the terms for Britain’s orderly withdrawal from the EU. The ongoing protocol talks must resolve the issues and arrive at a stable and lasting solution that minimises disruption and checks, but is done within the framework of the protocol and in a legally operable way. The resolution to the medicines issue before Christmas is evidence of how real issues that matter can be addressed by all parties. There is no problem that cannot be resolved. There is much economic benefit to be yielded from the special status that our region now enjoys, and this cannot be squandered. Conflating identity politics with trade is not accepted by the majority of our people and businesses as a valid or reasoned argument to oppose the protocol by those from within political Unionism. The fallout from Brexit has caused detrimental tensions to British-Irish relations that are not sustainable, especially after a decade of very important work between our islands around peace, reconciliation and renewed co-operation. It is high time for the present realities to be honestly assessed and understood.

The Central Statistics Office in Dublin reported last week that cross-border trade in goods between the North and South of Ireland has grown dramatically in the first full year since Brexit and since the protocol. Imports from the North to the South rose by 65% to over €3.95 billion, while exports to the North rose by 54% to over €3.69 billion. This is good news for the economy, jobs, livelihoods, and a new generation of young people. I note that already today, numerous other examples have been cited in this room as to how the protocol has shown itself to be delivering for people in the short space of time it has been operable, including by my colleague John O’Dowd.

The forthcoming Assembly election on 5 May will, in my opinion, return a majority of MLAs who support the protocol as the sensible way to mitigate the worst impacts of Brexit; who recognise the international legal context of what has been negotiated and ratified by the Westminster Parliament and the European Union; and who respect the rule of law, and therefore the implementation responsibilities that fall on the Executive and the Assembly to deliver within their devolved competence. The British Secretary of State, Brandon Lewis, and his Government have abandoned any pretence of rigorous impartiality in discharging their duties. We often hear talk about the need for balance, but as far as I am concerned,

unfortunately, it is a one-sided balance when it comes to the attitude and approach of the NIO.

*2.45 pm*

The recent debacle around the double-jobbing amendment of the NIO junior Minister Lord Caine to the NIO-sponsored Northern Ireland (Ministers, Elections and Petitions of Concern) Bill is a case in point, which amounted to giving the DUP leader an each-way bet in the forthcoming Assembly election, while retaining his Westminster seat should things not turn out as they would wish. Fortunately, it was seen for what it was by all the other parties and the public at large—hence its hasty withdrawal at the last moment by Boris Johnson, while on his feet at the Dispatch Box.

The moves being made by the Tories to relocate civil servants from the Department for International Trade and the Department for Levelling Up, Housing and Communities to Belfast later this year smacks of a power grab by London. Through undemocratic and regressive overreach, they have repeatedly undermined the autonomy of the devolved Administrations in Scotland and Wales, and the unique power-sharing arrangements in the North of Ireland. That has caused a democratic crisis for intergovernmental relations between the Administrations in Scotland, Wales and the North of Ireland, and the London Government.

One further example highlights, at best, ignorance of the Good Friday Agreement or, at worst, deliberate disregard for international law, which includes the protocol. The Nationality and Borders Bill threatens to reintroduce a hard border on our island for non-Irish EU citizens and others who do not require UK visas. In-country checks and criminal sanctions will follow for those who fall foul of those laws, and will present a real threat to those who move freely over the border for work, health, family or the many other reasons that underpin that freedom of movement, that way of life.

The protocol's stated objective is to avoid a hard border, yet that legislation serves as a stark reminder that the British Government is not only refusing to implement an agreement it entered into, but compounding that position by introducing legislation in direct contrast to their stated aims. The provisions that undermine the protocol and, more importantly, our Good Friday Agreement must not be allowed to proceed. I urge the relevant Minister to amend the Bill urgently.

British-Irish relations are at an all-time low, with the partnership approach that existed previously between London and Dublin now essentially extinguished. The failure by London to see the peace process as an ongoing process, requiring the continued active oversight and involvement of the two Governments as co-guarantors, is a core part of the problem. Outstanding challenges remain and cannot be ignored, because they are an enormous fault line, and they must be confronted and addressed. That includes dealing with the legacy of the past, reconciliation and sectarianism, and the delivery of rights.

When the Assembly, Executive and North South Ministerial Council were restored in January 2020, it was with a shared commitment to deliver the public services, societal reforms and future that our people need and deserve. It was ambitious to form a five-party coalition Executive, but it was achieved, getting us back to genuine power sharing—and thankfully so, because while everyone knew that there would be challenges ahead, no one could have predicted that, in only a matter of weeks, our Executive would be dealing with a global

pandemic that was to have such devastating impacts on every part of society, community and people's lives and livelihoods.

It is to the credit of all Ministers from across the five parties that they responded, and that they have worked with a unity of purpose and of leadership for the past two years. That is what the public want to see more of: co-operation and delivery. To jeopardise and destabilise the political system of government, to act unlawfully as Ministers in office, and to abandon the health service without any three-year budget in place, in protest at the protocol, amounts to serious political negligence by the DUP.

Jeffrey Donaldson has warned it will be "difficult" for his party to re-enter the political institutions after the 5 May election if the issues around the protocol are not resolved. That is heard by those of us within Nationalism as Unionism doing democracy on only Unionism's terms. We hear day and daily: "No protocol, no Nationalist First Minister, no Nationalist Justice Minister, no language rights, no abortion rights"—no, no, no.

The facts are that the balance of power at Stormont has shifted irreversibly. We see that weekly when the DUP is the outlier, as it attempts to vote down legislation in the Assembly that the public rejoice in seeing and that changes and impacts on people's lives. Those who hanker for the past, who disrupt the present and who threaten our future need to realise that there is no going back, only forward.

Sinn Féin will not be renegotiating the Good Friday Agreement, or shifting any political goalposts to satisfy Unionism before or after elections. This is now about those of us who want to work together to make the Assembly, the Executive and all-Ireland institutions work, to deliver on health, on housing, on education and jobs, and to deliver social change and economic prosperity, taking advantage of our dual market access within the British and EU single market. We are in the decade of opportunity, and Sinn Féin will not miss this moment. A defining watershed has opened up for relations in Ireland, and between Ireland, Britain and Europe. Indeed, there is a stark irony that the fragmentation of the British state is being driven by the politics of the Conservative and Unionist party itself.

Last year marked the centenary of the partition of Ireland by Britain. The historical relationship between our two islands has been characterised by colonialism, political division and partition itself. The political, economic, social and cultural consequences of this divided past continue to reverberate to this day. While our past was divided, our future can be shared. Over the past 20 years, and especially over the past 10, huge strides and investment have occurred in the British-Irish relationship, with welcome efforts from Queen Elizabeth as Head of State alongside Presidents McAleese and Higgins during this time.

The Good Friday Agreement provides a peaceful, democratic path to Irish unity. Attitudes are changing in the North. Fundamental demographic change is happening. We know that there are those of a British identity who are beginning to think outside the contours of partition and the Northern state. They aspire to a society based upon modern, liberal, democratic, pluralist values. They quite reasonably associate Irish unity with being a route back into the European Union. In April 2017, the EU announced that in the event of Irish unity, the island of Ireland will have an automatic route back to full EU membership.

One of Ireland's most foremost economic thinkers and commentators, David McWilliams, said last November:

“It makes no sense for an island this small to be divided.”

He is one of a growing body of opinion that is not primarily motivated by Republican or Nationalist politics, but recognises the potential that an orderly transition to Irish unity can unlock for the development of a new society and economy that is modern, pluralist, multicultural and outward-looking. A united Ireland would allow for the economy and society on the island to be organised and managed in the interests of the people of Ireland. The business community and labour movement, eminent academics and think-tanks have all begun to research and model constitutional and economic frameworks, but we also need to plan the milestones of an orderly change in constitutional status.

There can be no victories. The new Ireland that follows a successful unity referendum must be for everyone, regardless of creed, culture, ethnicity, tradition or sexual orientation. The human rights and equality guarantees in the Good Friday Agreement must be retained for all. There is now a prospect of two new sovereign states emerging in Scotland and Ireland, alongside a Welsh state with maximum democratic autonomy arrangements. That opens up the potential for new forms of positive co-operation and co-existence between these islands.

Of course, there will be challenges. Those of us from a pro-Irish unity political or civic position must carefully navigate this landscape with sensitivity and generosity. Building the foundations for authentic reconciliation must be central to all that we do so that—and this is the prize—our people live in harmony and friendship together.

Dealing with the past and implementing the Stormont House agreement on legacy issues can no longer be delayed. This British Government’s proposal to introduce amnesty legislation, which I know has been discussed already today, to conceal the actions of state forces and agents during the most recent political conflict is contemptible and in contravention of international law.

A lot of hurt and pain has been caused by us all towards each other during the last century. As a Republican leader, I am sorry that it has been so. With the benefit of hindsight, we can all see things that we would wish had been done differently, or not at all. It is time to heal the wounds of the past in order to move forward together. I believe that Irish unity and reconciliation are inseparable. The new Ireland cannot and must not be the old Ireland. That is why the Irish Government should immediately convene a national citizens assembly on constitutional change to positively address the key policy areas and mechanisms for change. It should begin to plan for Irish unity.

These are seminal times. British Government policy towards Ireland has run out of road and it needs to change. The British Government should begin to work in genuine collaboration to manage the transition. Acceptance of the right to Irish self-determination and full implementation of the Good Friday Agreement, in all its parts, should be adopted in British Government policy. Both Governments should set out a proposed timetable of transition that facilitates reasoned, inclusive and respectful discussion. They should agree a date for concurrent Irish unity referendums, North and South, in accordance with the Good Friday Agreement. Huge change is on the horizon. It is already under way. It is a time for real change and big ideas, a time to be ambitious for all of the citizens on our island. Thank you very much. *[Applause.]*

**The Co-Chair (Brendan Smith TD):**



Thank you very much, John. We will go straight to questions, if people are offering. The Clerks tell us we are way behind time, so can people be mindful in their contributions? Maurice Bradley, please.

**Maurice Bradley MLA:**

Thank you, Co-Chair. Thank you, Mr Finucane, for your presentation. I do not want to get into the political side of things, but I want to talk about medicines. Recently, my colleagues Pam Cameron and Deborah Erskine met the British Generic Manufacturers Association, and there is still a lot of uncertainty around medicines in Northern Ireland. Some 98% of our medicines come from GB. Our own Health Minister has said that he welcomes some of the clarification from the EU, but it leaves more questions than answers. The supply of medicines to Northern Ireland in the future—98%, by the way—is still not certain and still not clarified with the EU to such a standard that we can take it forward.

**The Co-Chair (Brendan Smith TD):**

Thank you, Maurice. Heledd, from the Welsh Senedd, please.

**Heledd Fychan MS:**

Thank you. It is probably no surprise, my representing Plaid Cymru, that a lot of what you said resonated, but do you think that there is enough dialogue about the new political reality post Brexit in terms of taking forward some of the things you mentioned—those questions about a united Ireland, and what the future of Wales and Scotland looks like? The power dynamics have changed considerably, so do you think there is enough political dialogue? What could our role as BIPA be in facilitating those serious discussions, which are still on the perimeter but should be centre stage?

**The Co-Chair (Brendan Smith TD):**

Thank you, Heledd. John?

**John Finucane MP:**

Thank you, Co-Chair. Maurice, in relation to medicines, that is the first time I have heard the statistic 98%. While I do not want to get into a back-and-forward, for every problem that is identified in which the protocol is portrayed as frustrating a solution, I come back with an economic potential that has been realised. What I am always keen to say when we discuss the protocol is that it is not a rigid vehicle that removes any possibility of solutions being found to problems that are identified. In a way, as a legal text, there is a great deal of skill in the drafting of the protocol, which allows problems to be identified and resolved within the confines and context and mechanisms of the protocol itself.

There is a reality that Brexit is going to have an impact, but I was encouraged last year by the problem-solving mood, in my view, in which the EU visited the North. They met with civil society, they met with the logistics, manufacturing and retail spokespersons, and they provided solutions that, in their words and the sector's words, went to resolving up to around 80%, I think. My understanding of the medicines issue is that they very much want to resolve any outstanding issues on that.

For me, politically, I would come back to you by saying that you do not tear up the protocol because a problem is identified; you work the protocol to ensure resolution, as much as that is possible in the context of Brexit now having been realised. What you certainly don't do, in my view, is walk out of an Executive, which has a real impact. If we want to talk about medicines, then we can extend that out to health and the impact that a failure for an Executive to be able to meet has on people's lives.

In relation to the conversation around a new Ireland, I think that certainly anybody from my party and indeed from any other party that I hear talk about this who would have a pro-unity view—everybody for me is on the same page with regards to needing to prepare and needing to plan. It's not about planting a flag in the ground and declaring victory; this is about having a conversation with those of a similar view, but, possibly more importantly, with those of differing views. And I think that what you are seeing is an emergence of groups, as I referenced in my opening remarks, from civic society, from academia and from various different think-tanks, where they are talking through the questions that need to be asked.

*3 pm*

It's starting to turn into a bit of a cliché now, because it's been said that often, but I think Brexit has shown us all what not to do; it's the blueprint as to how you do not go around achieving constitutional change. And I don't see anybody in the conversation of a new Ireland advocating a border poll tomorrow morning, or indeed next week. There has to be a preparatory stage and I think there is a role for this organisation in facilitating those conversations, because I also concluded that there are signs all around us that change is happening.

For the first time in the history of the jurisdiction of the North, the majority of MPs returned to this institution support a united Ireland—within our own Stormont Assembly, sorry. Unionism is in a political minority. And I don't couch any of that in any way as a language of triumphalism; I don't couch it at all. I would be very worried for anybody who would do so. However, I say that that is an indicator that is around us. We have electoral examples, we have demographic examples. Polling, I know, always comes with a bit of a health warning, but I think you do see an emergence and a progression of people's views on that.

Certainly those who I talk to who may not vote for unity tomorrow morning want to be part of the conversation; they want to be informed. What strikes for them are issues that are probably the same issues that we all get when we go around the doors at election time. It's, "What does it mean for the health service? What does it mean for my child's education? How much tax would I pay? What would the political structures be?"

I think those are very practical and sensible questions that need to be talked out—that need to be answered—because we in Sinn Féin certainly don't own the debate, nor would any political party own the debate. I think it's a debate that belongs to the people of Ireland and I think that the more that we can bring that together and manage that conversation in a responsible, and measured, and controlled way, the better.

**The Co-Chairperson (Brendan Smith TD):**

Thanks, John. Éamon Ó Cuív TD.

**Éamon Ó Cuív TD:**

Thank you very much. Go raibh míle maith agat. I think we have to recognise that the Good Friday agreement was a unique solution to a unique dilemma and that there's nothing wrong with unique solutions that are creative.

I have two questions for you. In the event of constitutional change in the island of Ireland, can you foresee a situation that you'd accept that the North of Ireland would retain its unique access to both markets on a continuing basis into the indefinite future—in other words, access to the European free market and access to the UK market?

The second question I have is similar to the question that I asked Sir Jeffrey. Do you favour each side—that's the United Kingdom Government and the European Union—doing everything in their power to reduce the bureaucracy involved in moving goods in both directions in and out of Britain to the North of Ireland and vice versa?

**The Co-Chairperson (Brendan Smith TD):**

Thanks, Éamon. Lord Kilclooney.

**The Lord Kilclooney:**

Thank you, Co-Chair. I repeat a previous question to Sir Jeffrey Donaldson. Sinn Féin, which is well experienced in boycotting Parliament, as you personally do yourself, negotiated the Belfast agreement with us, and in article 1 Sinn Féin agreed that Northern Ireland should remain in the United Kingdom until there was any change in its status by having an opinion poll—by having an election with the people of Northern Ireland.

First of all, you mentioned a united Ireland. Remember that you talked about demographic trends. That is a very sectarian term; that is talking about the percentage of Protestants and the percentage of Catholics. What you should be talking about is the political, constitutional term, and every public opinion poll in these days in Northern Ireland shows that only 35% want a united Ireland.

When we negotiated with Sinn Féin, they agreed that Northern Ireland was in the United Kingdom and could remain there until there was any change in the status of Northern Ireland, and the people of Northern Ireland would be consulted. Do you still support that formula?

**The Co-Chairperson (Brendan Smith TD):**

Thank you, Lord Kilclooney. John?

**John Finucane MP:**

Thank you for your two questions, Éamon. Continued access to both markets in that event—I am not dodging this question, but I think it goes back to what I said earlier, which is that there is no prescriptive, off-the-shelf model of a united Ireland that I say the people of Ireland must abide by, and there will be no derogation from that. This is the point about why we need to have planning; this is the point about why we need to have conversations. What I would be very strong on—and I certainly understand that this is echoed by anybody who comes at this from a pro-unity point of view—is that when we talk about the language of generosity, we must understand that there will be a sizeable portion of the population who are political Unionists and that that must be accommodated in any new constitutional arrangement. It's a new Ireland; it's not an old Ireland. And I think that where there are ideas around how that

incorporation can take shape, we in Sinn Féin are very much up for that conversation. This is the reason why I think a citizens' assembly is of the utmost importance—because we can then look at the different types of models and what exactly the economic arrangements would be in a post-unity position.

With regard to the protocol and the reduction of bureaucracy—absolutely. There should be nothing punitive about this. I think that when we discuss the protocol, which is the natural evolution from Brexit, there is a danger, at times, where people inadvertently, or sometimes deliberately, couch it in terms of being punished. This is not a punitive imposition by the European Union. This was a sovereign agreement that the British Government entered into with the European Union, that was agreed with and understood by all sides. As I said before to Maurice, where problems can be identified and solved, I think that is what we need to do; that is what I want to see. I am lucky that I live in a constituency where it is not the No. 1 topic that people contact my constituency office about or stop me in the street about, but I do recognise that where there are legitimate concerns, whether it be on bureaucracy or on certain sectors identifying within their industry where solutions can be found, there is an onus on the European Union to engage with those sectors and find those solutions. And to their credit—I think—they have been doing that since last year.

Lord Kilclooney, there are a couple of points on your comments. I think it's an unfair comparison to talk about abstention from institutions and cite me and my six colleagues who have been returned here. There is nothing secret about Sinn Féin's abstention policy; indeed, it is brought up every single time there is a Westminster election. So I think to compare that to the DUP's walkout from the Executive, which has a real impact on people's lives—the Executive, as I understand it, prioritised health. As was referenced earlier today, the health waiting lists in the North are the worst on the island. There was a political agreement that each Department essentially would take a hit and financial resources would be channelled into health in a three-year budget—the first time that a Health Department would have been able to do that. That is now not capable of happening, because one political party, in dispute with a political agreement between the British Government and the European Union, has walked away. So if we are citing examples of where people are struggling with bureaucracy or people are struggling to get parts for wheelchairs, I think we must also be politically honest as to what the implications are for a party that walks away and brings down the Executive. To their credit, Ministers across a range of parties have been trying to see what legislation can and can't be passed.

I also must come back to you with regard to demographic trends. With respect, I didn't bring religion into it; you did. When I talk about demographic trends, I talk about election results over the past three, four or five years. As somebody who is neither a Catholic nor a Protestant and is the by-product of a mixed marriage, I take offence at anybody who would presume that a Protestant must vote Unionist and a Catholic must vote Nationalist. That is simply not the case. You are northern, so I understand that you would agree with me on that. We are a much more subtle and diverse society than sometimes people give us credit for. We are certainly a hell of a lot more subtle than green and orange, albeit the green and orange will always get the headlines.

Certainly in my time in Belfast City Council I was so proud on a daily basis to be out in Belfast, a city that is reflective of so many nationalities across the world, with so many different languages that are spoken and cherished and flourish within the city. So when I talk about trends, I talk about those who are looking to the future and I think are looking at an

England that is dominated by English nationalism. I think there are those, certainly that I have spoken to, who would have seen themselves at home in political Unionism but look to the future and do not feel comfortable about where that is going and want to be part of a conversation. I think that is reflected in polls.

I would maybe take issue with your reference to 35%. When you look at elections and how people have responded to the very anti-democratic way in which we have been taken out of the European Union, they value their European identity. I think they look at the South and see a diverse and inclusive country, and they want to be part of a conversation that will set out in more detail what a new Ireland will look like.

**The Co-Chairperson (Brendan Smith TD):**

Thank you, John. I thank you for your comprehensive address at the commencement of this session, and also for your response to the questions from our Members. Thank you very much. *[Applause.]*

**COMMITTEE PROGRESS REPORTS**

**Committee B (European Affairs)**

**The Co-Chairperson (Andrew Rosindell MP):**

Thank you very much, Brendan. We are now coming to the end of our session, but we have some important matters to get through before we depart for the Irish embassy. I ask those giving reports to be as swift as you possibly can, because we are running slightly late. We have reports from the different Committees. As Committee B has a report to present, I will ask John Lahart TD to present the report to the Assembly first of all and provide a general update on his Committee's work.

**John Lahart TD:**

Thank you. I am happy just to recommend it to the Assembly with their approval. It is a concise report and everybody got a copy of it.

**The Co-Chairperson (Andrew Rosindell MP):**

That was very swift. That is agreed. Thank you very much. I commend Committee B for their work in completing the report. The joint Clerks will arrange to send the report to the British and Irish Governments.

I now call the Chair of Committee A, Senator Emer Currie.

**Committee A (Sovereign Matters)**

**Senator Emer Currie:**

Thank you, Co-Chair. Since the last plenary session, Committee A (Sovereign Matters) has been examining the bilateral relationship between the UK and Ireland and structures post-Brexit and post-pandemic to strengthen it at ministerial, official, parliamentary and sectoral levels. While I do not want to prejudge the outcome of our report, it is clear that institutions like BIPA, which allow us to come together to meet formally and informally, as we did last night and today, play a vital role in building relationships on this island.

So far the Committee has heard from the Irish Ambassador to the United Kingdom and the British Ambassador to Ireland. In this session Members asked questions about the reliance before Brexit on EU meetings to facilitate bilateral engagement at ministerial and official level between the Governments, focusing on the future. Members inquired about how both Governments intended to compensate for the loss of these opportunities.

Our findings from our first evidence-gathering session informs the direction of our inquiry in months to come. Our work will focus on the processes that are in place and that could be enhanced potentially through the work of BIPA and other institutions such as the British-Irish Intergovernmental Conference and the British-Irish Council. Going forward, we intend to broaden those voices. We intend to hear from Ministers, officials and other countries with close bilateral ties to better understand the future direction of our bilateral relationship. We will always be neighbours. We are co-guarantors of the Good Friday Agreement. That, as well as our people-to-people links and our cultural, sporting, economic and trade relationships, means strong Government-to-Government and Parliament-to-Parliament relationships are vital—relationships that are adequate to face the challenges present and ahead of us. I look forward to working with all the members of Committee A on this important work in the coming months. Thank you.

*3.15 pm*

**The Co-Chairperson (Andrew Rosindell MP):**

Thank you, Emer. I would now like to call the Chair of Committee C, Brendan Howlin TD.

**Committee C (Economic Affairs)**

**Brendan Howlin TD:**

I will be brief as well. Committee C is continuing its work into the economic impact of the changed environment on UK-Ireland trade. We began, obviously in covid, with taking evidence online from academics and key stakeholders. We were able to hold in-person meetings in Dublin and in Belfast, where we visited Belfast port. We have met a cross-section of trade union representatives from the island, employer representatives, logistics people, hauliers and so on. We have plans at the end of this month to do the UK side of it, with a visit to Liverpool port, and have the Welsh ports assemble in Holyhead and hear the impact from their side. We also hope to update the data so that in April we can hopefully have a draft report on our assessment of the impact to date.

**The Co-Chairperson (Andrew Rosindell MP):**

Thank you, Brendan. I now call the Chair of Committee D, Lord Alf Dubs.

**Committee D (Environmental and Social Affairs)**

**The Lord Dubs:**

Thank you, Co-Chair. Committee D started before the pandemic by looking at indigenous minority languages in the various jurisdictions. We had a very useful evidence session in Cardiff, taking evidence from the Welsh Government and others. My memory of that has been tinged by the sadness that the Welsh Language Commissioner Aled Roberts, who gave evidence to us, has died recently. That has rather saddened our memory of what was

otherwise a very good evidence session. We propose to continue with this. We have got dates to go to Edinburgh and then Dublin, and then probably Belfast and Donegal in one go. We hope to finish evidence sessions by, probably not before, September.

**The Co-Chairperson (Andrew Rosindell MP):**

Thank you very much, Alf. Pauline, did you have a point?

**Pauline McNeill MSP:**

Thank you. I will not detain Members; I thought this was the relevant place to raise this issue. It is a privilege to serve on this British-Irish Assembly and we have had the most distinguished speakers, but I think I speak for at least some women in the room when I say that it has not escaped my notice that the entire platform for the whole day has not had any female representation. I would like to say, Chair, that it does not seem right in 2022, and I am sure there are other issues that I think a future plenary should discuss about diversity.

It is on all of us—all parties, nations and regions—that we do not have enough representation of women. I hope that I could at least get some commitment from the Chair, without interfering with any proceedings, that we would not have another Assembly with absolutely no women on the platform at all. I realise that it takes time to build and improve women's representation. I hope I am speaking for a lot of people, and I don't want to cut across the proceedings in any way. I thank you for indulging me in this, and I hope that perhaps we can address it and not ever have another BIPA session where there are no women speakers. Brilliant though the speakers were and brilliant though the platform is, can we see some women at all future BIPA meetings? Thank you very much. *[Applause.]*

**The Co-Chairperson (Andrew Rosindell MP):**

Can I just say that these things are never deliberate? Wendy Morton was Foreign Office Minister, and she was reshuffled recently, hence James Cleverly taking her place. Equally so, we invited the leader of Sinn Féin. She couldn't come, so John Finucane took her place. The idea that we have set out to not have women as speakers is completely wrong, and I do think—

**Pauline McNeill MSP:**

With respect, Co-Chair, I didn't actually say that.

**The Co-Chairperson (Andrew Rosindell MP):**

Okay. I can assure you that we as a Steering Committee will always choose the most relevant speakers for the Assembly. I very much hope that in future there can be women and all kinds of people speaking, but they have to be relevant and available to speak, I'm afraid.

**Pauline McNeill MSP:**

So you're not going to give a commitment as Chair that you will at least try to make sure there are women on the platform.

**The Co-Chairperson (Andrew Rosindell MP):**

We do anyway. I am very happy to give that commitment because that is exactly what we already do. Thank you very much.

**Jennifer Carroll MacNeill TD:**

I simply wanted to speak as I am the spokesperson on equality for my party, Fine Gael, in the Dáil. I simply wanted to speak in support of my friend. I appreciate that it is not done deliberately, but we have to take all of those opportunities to highlight the continuing imbalance. Yes, it is a function of people being in different offices, and them being the most relevant speaker, and so on and so on. However, unless we stand up and highlight the imbalance in a representative chamber, then we really aren't going to be able to make any changes in relation to that. I want to speak in support of my friend and continue to highlight the gender imbalance. Whether it has a trickle-up or a trickle-down effect, it exists, it is represented, and we must identify that and note it. *[Applause.]*

**The Co-Chairperson (Brendan Smith TD):**

One thing that it is important to know as well is that we request the Government to send speakers, we don't decide. The Sinn Féin leader was asked; she wasn't available. Wendy Morton had been scheduled to speak. We have asked the Governments to send speakers; we can't say, "No, we are not taking that person." It is not easy to get senior Ministers to attend these sessions, because of other commitments in their own Parliaments. The point is taken, so it is. Karin Smyth, our vice-Chair, has been a very active advocate.

**Karin Smyth MP:**

I wasn't going to speak, Co-Chair. However, when a political party is sending a representative, my own party included—and it was a pleasure to hear him speak—I think it is incumbent on us in the Steering Committee to act to rectify the fact that all the political parties in all the jurisdictions are continuing to send men. I will continue on the Steering Committee, and I hope that both Chairs will support me and others to reflect the comments made from the Floor. We can alter our agenda to reflect the diversity across these islands. We must do our bit.

**The Co-Chairperson (Andrew Rosindell MP):**

Okay, it is a point taken and a point that we already accept. We will continue to do all we can to ensure that in future there are people from all backgrounds, and both genders, represented on this panel. Thank you very much indeed.

I was in the middle of dealing with the Committees. If there is a point of order, or any other business, it should in future be raised at the end, not in the middle of Committee reports. I will go back to the Committee reports. I would like to commend the Chairs and members of all the Committees for the valuable work they do on behalf of the British-Irish Parliamentary Assembly. I also wish to acknowledge the work and support of the Committee Clerks and Secretariat. *[Applause.]*

I do not know if he is in the room; I can't see Sir Michael Davies. He has gone to find the coach, which is what he does. He is very good at finding the bus. I would like to record formally all of our thanks to Sir Michael Davies, who is the former Clerk of the Parliaments and long-time British consultant to the British-Irish Parliamentary Assembly, who is stepping



aside after several years of sterling service to the work of BIPA. I would like to welcome his successor, Paul Evans—is Paul here? There he is.

Sir Michael has just arrived. Michael, we are just thanking you for your sterling work. *[Applause.]* Thank you for your incredible service to BIPA over such a long period of time. We wish you well with your retirement. We are going to miss you. We are glad that you have come back, even though you are supposed to have retired. You are always welcome, if we are in the UK, to come and visit us and to take part in the future. We wish you a very long and happy retirement. I welcome Paul to his new role.

That is all from me. I am now going to hand over to the Co-Chair, Brendan, to deal with the final items on the agenda. Thank you very much.

**The Co-Chairperson (Brendan Smith TD):**

Thank you very much, Andrew. We will follow up on the points made in regard to speakers. Karin will ensure that we continue to do that at Steering Committee level.

I thank Andrew and his colleagues in the British delegation for the great hospitality shown to us—we really enjoyed it. We know that the Clerks, Paul and Martyn, and their support staff have had a difficult time in rearranging plenary sessions. We very much thank them for their work in bringing about this plenary, which has been exceptionally well organised, as Andrew said. We look forward to the next one in Ireland in the autumn, only a few months away.

I want to mention one other person who did a lot of good work on this body in its early days, which is the late Mike Burns, who was RTÉ correspondent in London in many years. He has passed away since we last met in person. We remember him for the sterling work he did in the early days of this Assembly.

I thank our Vice-Chairs, Julie Marson, Karin Smyth, Niall Ó Donnghaile and Alan Farrell for their ongoing support and work within the Steering Committee. I ask Alan to formally move the adjournment of this plenary session.

**ADJOURNMENT**

**Allan Farrell TD:**

Thank you very much to the Co-Chairs. I echo your sentiments on the work of the British Parliament in hosting us today and yesterday. Thank you very much for all of your efforts. I beg to move,

*That the Assembly do now adjourn.*

**The Co-Chairperson (Brendan Smith TD):**

I now declare the 61st plenary session of the Assembly closed. We will next meet in plenary session in Ireland in the autumn. I wish you all safe and pleasant journeys home.

*Adjourned at 3.25 pm.*