



**The National Committee on American Foreign Policy (NCAFP)**

**Summary of a Roundtable Meeting**  
***The Impact of Brexit on the Good Friday Agreement***

**May 29, 2019**

***Background***

On May 29, 2019, the National Committee on American Foreign Policy hosted Dr. Katy Hayward, Reader in Sociology at Queen's University Belfast, and Fellow at the Senator George J. Mitchell Institute for Global Peace, Security and Justice, who gave a presentation on ***The Impact of Brexit on the Good Friday Agreement***. The attendees included a collection of scholars, businesspeople and interested guests.

The meeting opened with a recollection of the National Committee on American Foreign Policy's (NCAFP) work on the Irish Peace Process, including a fond remembrance of long-time supporters William J. Flynn and Tom Moran. In looking forward, the hosts asked all present to consider the revitalized role the NCAFP might be able to play amid current tensions. Though no longer embroiled in the "Troubles," Northern Ireland faces a bevy of new issues including renewed violence, a breakdown in governance, and, of course, the uncertainty created by Brexit. This recollection of the May 29 meeting includes the opinions of many, and does not represent any specific individual's contributions.

For many months, Brexit, and the failure of the UK Parliament to accept the negotiated withdrawal agreement, has created an atmosphere of profound uncertainty across Northern Ireland. Though all involved parties are thoroughly committed to avoiding the re-creation of a hard border across Ireland and to preserving the Good Friday Agreement, talks have yet to produce a widely-accepted solution. Differing interpretations of the so-called "Joint Report" from the EU and UK negotiators have led to failed attempts to reconcile matters of physical infrastructure, customs, travel, and trade across the Irish border.

The initial Joint Agreement between the negotiating parties failed to create definitive solution on the border following the UK's assessment that matters related to the border may not be legally binding. This pressed both sides to seek greater guarantees that have proven elusive thus far. The withdrawal agreement currently waiting for ratification contains a clearly-defined protocol concerning the Irish border, to be initiated immediately on the 'exit date.' It is critical to remember that the ongoing work toward a Brexit deal focuses only on Britain's exit, not any long-term relationship.

## *Negotiations and the ‘Backstop’*

The de-politicization of cross-border cooperation is essential for Ireland, and many actors have been driving toward that goal. However, it is challenging to tangibly demonstrate the kind of normalization that might elate concerns about the political state of cooperation. While it is certainly possible to assess economic data and general demographic trends, it is far harder to showcase normalization among individuals beyond allegorical cases. To demonstrate normalization across the border is to deepen the case for fluid passage of goods and persons across it. Attempts to preserve the border as-is have been a defining element of negotiations.

The so-called ‘backstop’ in the protocol of the withdrawal agreement has been a key issue in discussions of the Irish border throughout the Brexit process. At its core, the backstop issue is about protecting cross-border cooperation and the core principles of the Good Friday Agreement. It is a provision that, in the event of no-deal scenario between the UK and EU, would keep the state of affairs at the border more-or-less unchanged. Though this sounds innocuous, it is a deeply divisive policy in the current political environment. It is a compromise involving Northern Ireland-specific and all-UK dimensions. On the one hand, if exceptions to customs and border rules are made for Northern Ireland, and Northern Ireland functionally remains a part of the EU’s customs arrangements, unionists in Northern Ireland are concerned that it entails separation from the rest of the United Kingdom. On the other hand, the all-UK-EU dimensions of the backstop would see the UK remaining too close to the EU to realise the full ambition of Brexit. Critics of the backstop thus claim that it is damaging to not only the integrity of EU arrangements, but also to the internal governance of the UK.

The debate surrounding the backstop has been paramount in derailing the withdrawal agreement negotiations, with the most stringent ‘remainers’ fighting any deal on principle, and ardent ‘Brexiters’ despising the backstop provision. This has pulled centrists to the fringes as prolonged negotiations have yet to find a solution to the border conundrum. Government and non-government groups in the UK are in search of a technical solution, notably led by the policy institute Prosperity UK. Unfortunately, the technical solutions to resolving the withdrawal agreement negotiations they are considering do not consider the Good Friday Agreement and the sort of cross-border normalization needed to forestall future conflict. To further this challenge, none of the leading candidates to take charge of the Conservative Party in the wake of Teresa May’s resignation want to see the backstop included in a final deal. As a result of these muddied political waters, there is great concern that the interest groups who may end up as the most marginalized in a new UK government are the ones with the most to lose—i.e. those from Northern Ireland.

## *The Next Steps*

The UK stands at a crossroads with three possible end results: 1) an unlikely scenario in which no Brexit takes place and a second referendum votes to unilaterally rescind the Brexit process; 2) a no-deal Brexit, dubiously framed as the chance for a ‘clean break’ from Europe; and 3) a deal is successfully negotiated, likely with great technical focus. Which scenario we have depends very much on the political calculations of the leadership of the Conservative and Labour parties in the coming weeks and months.

It will be crucial in moving forward to consider the views of those actually living on the border. Though major decisions about future policy are understandably made in London, Dublin, Brussels and Belfast, it would behoove policymakers to engage directly with their most-impacted constituents. The people living on the border will likely continue to live there once Brexit becomes reality. If life is to continue as normal and the principles of the Good Friday Agreement are to be maintained, the voices of those living at the border must be heard. The best-laid plans of policy professionals can easily dissipate as political headwinds change over time—local needs tend to maintain their relevance.

Amid all of the tension, negotiation and confusion regarding Brexit and Northern Ireland, the United States still has a role to play. Born from the legacy of the Good Friday Agreement, trade issues at the Irish border are very much in the interest areas of American policymakers. Further, it is unlikely that, post-Brexit, a bilateral trade deal can be realized with the United States if the principles of the Good Friday Agreement are not guaranteed. Congress could hold up such a deal, despite any ambitious negotiating agendas set by the UK. As the fallout from the breakdown in Conservative Party leadership and the most recent EU elections settles, the potential outcomes of the Brexit are more in flux than ever, for better or worse. Experts and organizations, including the National Committee on American Foreign Policy, will continue to pay attention and do their part.