



BRIEFING PAPER

CBP 9140, 18 February 2021

The movement of goods between Great Britain and Northern Ireland

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Petitions Committee virtual e-petition session

Monday 22 February 2021, 4:30-6:00pm

This briefing has been prepared for an e-petition session. These sessions are an opportunity for MPs to discuss the important issues raised by an e-petition. However, they cannot directly change the law or result in a vote to implement the request of the petition.

This petition is being considered in an e-petition session because sittings in Westminster Hall (where e-petitions are normally debated) have been suspended as part of Parliament's arrangements for adapting to the Coronavirus outbreak.

MPs will discuss the issue raised in this petition: calling for the Government to remove barriers to trade within the United Kingdom. This petition was started by Arlene Foster, the First Minister of Northern Ireland, and the session will be led by Elliot Colburn MP. A Minister will respond for the Government.

The proceedings of this e-petition session can be [viewed online](#).

Contents

1. Background	2
Article 16	2
Grace periods and easing of NI trade	3
Other solutions	5
2. e-Petition 573209	6
3. Press articles	6
4. UK Government guidance and press releases	7
5. PQs	10
6. Statements	19
7. Michael Gove letter	21

1. Background

The Northern Ireland Protocol

Following the UK's decision to leave the EU, the two sides drew up a [Withdrawal Agreement](#) (WA) that set out how the UK's exit would work. This Agreement came into force on 31 January 2020.

The WA is separate from the [UK-EU Trade and Cooperation Agreement](#) (TCA) that sets out the UK-EU future relationship. The WA will continue to apply regardless of any future changes to the TCA.

The Northern Ireland Protocol (the Protocol) is an integral part of the WA. The Protocol sets out Northern Ireland's post-Brexit relationship with both the EU and Great Britain (the rest of the UK). Its principal purpose is to maintain an open land border between Ireland and Northern Ireland (NI). The Protocol enables the seamless movement of goods between NI and Ireland and the rest of the EU.

Trade in goods under the Protocol

The Protocol states that NI remains part of the UK customs territory and so NI will be included in UK free trade agreements. UK authorities are responsible for implementing the Protocol in both GB and NI.

However, more significantly the Protocol states that NI must follow the EU's rules for bringing goods in and out of the EU (the customs code) and many EU single market rules for goods, while GB will set its own customs and regulatory rules.

This approach necessitates implementing new checks and controls for goods moving both from Great Britain to Northern Ireland but also, to a lesser extent, from Northern Ireland to Great Britain. This is often referred to as "putting the border in the Irish Sea".

Consent for the Protocol from the Northern Ireland Assembly

Under what is known as the "[consent mechanism](#)", the parts of the Protocol relating to the movement and labelling of goods, as well as VAT, State Aid, and the electricity market, will cease to operate if the Northern Ireland Assembly doesn't give its regular consent. Its first opportunity to do so will be in late 2024.

Article 16

Article 16 purpose

[Article 16](#) is an emergency brake that allows either party to suspend parts of the Protocol in order to deal with serious difficulties.

The text of the Protocol provides more precise details. Article 16 (1) states that if the application of the Protocol leads to "serious economic, societal or environmental difficulties that are liable to persist", or to "diversion of trade" then either side can impose "appropriate safeguard measures". These measures, however, need to be targeted in scope and duration to directly address the problems they are trying to fix.

Article 16 process

The process that a party triggering Article 16 measures must follow is set out in Annex 7 of the Protocol. It describes a five-step process:

- **Step 1: Notification:** When the EU or UK are considering undertaking safeguard measures the proposing side must inform the other side through the [Joint Committee](#) "without delay".

- **Step 2: Consultation.** Both parties must immediately enter into consultations in the Committee to try and find “a commonly acceptable solution”.
- **Step 3: Implementation.** If no solution is found the proposing side cannot implement them until one month after step 1, unless the step 2 discussions have concluded before that.
- **Step 4: Provide information.** The proposing side must “without delay” notify the other what measures they are putting in place and “all relevant information”.
- **Step 5: Ongoing consultation.** Every three months, the safeguarding measures will be discussed in the Joint Committee, with a focus on ending them and/or limiting their scope.

There is a **significant exemption** to this process, however, “when exceptional circumstances requiring immediate action exclude prior examination” occur, the proposing side can implement measures immediately.

How the other party can respond

Article 16(2) states that if the safeguard measures create “an imbalance between the rights and obligations under this Protocol,” the other side may take “proportionate rebalancing measures” that are “strictly necessary” to remedy the imbalance. They should prioritise measures that will “least disturb the functioning” of the Protocol.

The side introducing “rebalancing measures” must also use the five-step process above but could also use the “exceptional circumstances” clause.

Both sides could also ask the independent arbitration panel, set up under the Withdrawal Agreement’s [dispute settlement process](#), to provide a ruling if they thought this process was being misused or misapplied.

EU Covid-19 vaccine measures and Article 16

On 29 January the European Commission released [new rules](#) controlling the export of Covid-19 vaccines out of the EU.

Alongside this announcement, the EU said it would also trigger Article 16, to prevent vaccines potentially being sent to Northern Ireland from the EU, and then onto Great Britain.

After condemnation of this move by [all of NI’s major political parties](#), the [UK](#) and [Irish](#) Prime Ministers, the European Commission took down the original proposal, and clarified that they would no longer plan to trigger Article 16, [describing](#) the move as an “oversight”.

Calls to trigger Article 16

Some Northern Ireland Unionist politicians were already [calling for Article 16 to be triggered](#) in early January, to stop customs controls and checks on goods moving from GB to NI that are causing disruptions to the flow of goods.

Experts [have suggested](#) such measures are not a quick fix for these problems. The EU’s aborted attempt to impose its own measures seem to have given further impetus to these calls with Arlene Foster, Northern Ireland’s First Minister, then [calling for](#) it to be triggered.

Grace periods and easing of NI trade

Joint Committee decisions and grace periods

The WA set up an EU-UK Joint Committee (Committee), to oversee its implementation. The Protocol also left some decisions on the trading of goods up to the Committee, including how and under what conditions goods could enter NI tariff-free.

4 The movement of goods between Great Britain and Northern Ireland

In December 2020 the Committee set out a [series of decisions](#) on how the Protocol would operate in the long term.

The Committee also responded to UK requests to temporarily relax some rules that were meant to apply to NI under the Protocol. These are often referred to as “grace periods”.

The following relaxations/grace periods were agreed:

- **Export declarations.** Most goods being sent by firms from NI to GB, will now not require pre-departure and/or export declarations. Instead HMRC will collect “equivalent” information from sources such as shipping manifests.
- **Supermarket Agri-food imports.** Supermarkets and their suppliers bringing agri-food products into NI, were given a **three-month** grace period before they must comply with the EU’s full Sanitary & Phytosanitary (SPS) regime.
- **Chilled meats.** Supermarkets were given a **six-month** grace period before having to comply with EU SPS rules for bringing in certain types of chilled meats, such as sausages, from Great Britain to Northern Ireland, subject to conditions on labelling, certificates and transport.
- **Medicines.** NI was granted a **year-long** grace period for implementing in full the EU’s rules on testing and selling human and veterinary medicines.

Separate to these declarations, on 31 December a three-month grace period for online retailers sending parcels into NI [was announced](#).

Trading problems

Despite these grace periods, there have been issues with the trade in goods between Great Britain and Northern Ireland. Part of the reason was the Committee decisions and grace periods were only announced a few weeks before the Protocol came fully into force on 1 January 2021.

The Northern Ireland Affairs Committee has taken evidence from [industry](#) and [customs experts](#) on some of these issues, why they are happening, and what can be done to help overcome them.

Some of these disruptions, however, arise from the Protocol’s [placing of checks](#) “in the Irish Sea”, rather than at the land border between Ireland and Northern Ireland.

UK requests for further easing

After the EU’s Article 16 “oversight”, the Chancellor of the Duchy of Lancaster, Michael Gove, and UK Co-Chair of the Joint Committee, [sent a letter](#) to the EU Committee Co-Chair, Maroš Šefčovič, asking for further easing of rules for NI to help deal with delays and other problems UK firms were facing sending goods to the region. Mr Gove asked for the EU to agree to the following steps:

- Extending the grace period for supermarkets and their suppliers in time and scope, so it extends until at least 1 January 2023, and is widened to include “all relevant local businesses and services” as authorised traders, as well as a “proportionate, risk based long-term solution” for retailers;
- find a permanent solution for movement of chilled meat products from GB to NI that will be prohibited at the end of the grace period, with an extension of the grace period until at least 1 January 2023 while this is negotiated;
- extend the grace period for parcels until at least 1 January 2023 to allow for time for a “light-touch permanent solution” for parcels to be agreed, and widen this extended grace period to deal with regulations affecting the delivery of items such as organic foods and plants;

- extend the grace period for medicines for a further year at least to 1 January 2023 and sort out other issues on the movements of medicine into NI;
- find a solution to restrictions on the amount of steel that can be imported into NI tariff-free (so called Tariff Rate Quotas); and
- negotiate a bilateral arrangement to deal with barriers on pet travel between GB, NI and Ireland.

EU response

Mr Šefčovič, responded to Mr Gove's letter with [his own](#). He suggested that the UK was not implementing the Protocol fully, giving several examples:

- The Border Control Posts (BCPs) or Entry Posts were not yet fully operational, and that they were not performing a sufficient number of physical checks;
- packaging is not being labelled and consignments not monitored at their destination, and goods are entering without declarations or valid certificates;
- the EU had not been given full access to the UK's customs data and systems that the Protocol requires; and
- the UK was not implementing the decision on NI firms giving "equivalent information" rather than filling out customs declarations properly.

On the requests from the UK, Mr Šefčovič stated the following:

- The EU would look at solutions to steel and tariff rate quotas;
- for chilled meats, agri-food and parcels, the grace periods would not be extended, and were offered on the basis that firms would use the time to prepare for complying with EU rules, though they could look at "pragmatic solutions"; and
- for issues with pet travel and the movement of items like seed potatoes and plants, any flexibility would require the UK to align with EU rules in these areas.

Other solutions

Veterinary agreement

A more permanent solution to controls on animals and plants, known as Sanitary and Phytosanitary (SPS) checks, would be for the UK and EU to sign a veterinary agreement, similar to the one between the [EU and Switzerland](#), or the EU and New Zealand.

Such an agreement would remove a large percentage of the physical and documentary checks required on live animals and agri-food products. This would be achieved, however, by dynamically aligning Great Britain to the EU's agri-food and SPS standards. That means Great Britain would have to keep its rules the same, and accept new EU regulations and updates to existing ones. A veterinary agreement would also remove similar frictions for trade moving between Great Britain and other EU countries.

An EU-UK veterinary agreement has been [advocated](#) by NI Alliance MP Stephen Farry. While Unionist parties the UUP and DUP oppose the Protocol, members of both parties have [expressed an interest](#) in this solution. The Ulster Farmers' Union have also said [they support](#) the idea.

It's not [entirely clear](#) whether such a proposal would be acceptable to the UK Government or not.

2. e-Petition 573209

[Trigger Article 16. We want unfettered GB-NI Trade.](#)

Her Majesty's Government must immediately remove any impediment or barrier to unfettered trade within the United Kingdom.

After just one month, Northern Ireland is suffering real economic and societal difficulties as a consequence of the Northern Ireland Protocol operating and creating new barriers to unfettered trade within the United Kingdom and disrupting supply lines of goods to Northern Ireland.

The Government should use all the powers it has to move urgently to protect UK trade and to ensure all UK goods and produce can freely flow to and from every part of the United Kingdom.

3. Press articles

The following is a selection of press and media articles relevant to this e-petition session.

Please note: the Library is not responsible for either the views or accuracy of external content.

[DUP minister wouldn't oppose Swiss-style deal to address NI Protocol disruption](#)

Belfast Telegraph
David Young, PA
17 February 2021

[Brexit: Can the Northern Ireland Protocol be tweaked?](#)

BBC News Online
John Campbell
13 February 2021

[Border bureaucracy isn't a reason to soften Brexit. It's proof the EU is a protectionist racket](#)

Daily Telegraph
Tim Stanley
8 February 2021

[Mary Lou McDonald says Brexiteers must accept trading borders are permanent consequence of Brexit](#)

Belfast Telegraph
Lauren Harte
7 February 2021

[Brexit: Irish Sea border issues foreseen when deal was done](#)

BBC News Online
John Campbell
6 February 2021

[How post-Brexit trade plans revived old conflicts in Northern Ireland](#)

ITV News
3 February 2021

[Brexit: Colum Eastwood says leaders must work together over NI Protocol](#)

BBC News Online
2 February 2021

[Arlene Foster accuses PM of 'dereliction of duty' on NI Protocol](#)

Belfast Telegraph
David Young, PA
1 February 2021

[Boris Johnson urged to review deal on Northern Ireland trade](#)

Financial Times
Jasmine Cameron-Chileshe
31 January 2021

[Irish Sea border: What will happen once the grace periods end?](#)

BBC News Online
John Campbell
31 February 2021

[Arlene Foster urges PM to replace 'unworkable' NI Brexit deal](#)

BBC News Online
30 January 2021

['Welcome news': relief as EU backtracks on NI Covid vaccine move](#)

The Guardian
Lisa O'Carroll
29 January 2021

4. UK Government guidance and press releases

[Trading and moving goods in and out of Northern Ireland](#)

HM Revenue & Customs

Last updated: 16 February 2021

A collection of documents and guidance on how to prepare if you trade and move goods in and out of Northern Ireland.

[Moving goods into, out of, or through Northern Ireland](#)

Cabinet Office

Last updated: 7 January 2021

A collection of documents and guidance on moving goods into, out of, or through Northern Ireland.

[UK Trader Scheme launched to support businesses moving goods from Great Britain to Northern Ireland](#)

HM Revenue & Customs

15 December 2020

- New UK Trader Scheme (UKTS) will help ensure traders don't pay tariffs on the movement of goods into Northern Ireland from Great Britain where those goods remain in the UK's customs territory

8 The movement of goods between Great Britain and Northern Ireland

- Traders can self-declare goods not 'at risk' of entering the EU so that they're not subject to EU duty
- Businesses urged to consider what they need to do before their first movement of goods after 1 January 2021

Traders are being urged to consider whether they need to sign up to the new UK Trader Scheme (UKTS) to ensure traders don't pay tariffs on the movement of goods into Northern Ireland from Great Britain where those goods can be shown to remain the UK's customs territory from 1 January 2021.

From Monday (14 December), businesses can apply for a UKTS authorisation, allowing them to self-declare goods not 'at risk' of moving on to the EU after entering Northern Ireland.

This means they will not be subject to EU duties on goods being sold to or used by consumers after entering Northern Ireland from Great Britain, regardless of the outcome of the UK-EU FTA negotiations.

Businesses who do not sign up could have to pay tariffs on their goods, unless they are eligible to claim a waiver.

Registering for UKTS is a simple and straight-forward process, which businesses can do [online at GOV.UK](#).

The scheme is open to traders of all sizes and across all industries who operate under the Northern Ireland Protocol (NIP).

Traders who want to declare goods not 'at risk' from 1 January 2021 will need to apply for authorisation by 31 December 2020. Traders will be granted a provisional authorisation for a period of up to four months whilst HMRC processes their applications.

The government's £200 million Trader Support Service (TSS) also provides education and guidance on 'at risk' goods for NI and GB businesses. To register for the TSS visit www.tradersupportservice.co.uk

[Command Paper sets out the UK Government's delivery of its commitments to the people of Northern Ireland](#)

**Cabinet Office / Northern Ireland Office press release
10 December 2020**

The Government has today (Thursday 10 December) published a [Command Paper](#) setting out details of an agreement in principle on the implementation of the Northern Ireland Protocol between the Chancellor of the Duchy of Lancaster, Michael Gove, and the EU Commission Vice President, Maroš Šefčovič. The agreement in principle draws on months of UK Government engagement with businesses and technical engagement with the EU and the Northern Ireland Executive.

The paper outlines how this meets the Government's three key commitments to the people of Northern Ireland as the Protocol takes effect:

- Unfettered access guaranteed for Northern Ireland businesses to the rest of the UK market - with no export declarations required as goods move from Northern Ireland to Great Britain.

- Northern Ireland's place in the UK customs territory secured - with a new UK Trader Scheme to ensure there are no new tariffs for businesses and consumers on internal UK trade, and the means to maintain the UK's VAT area.
- Smooth flow of trade from Great Britain to Northern Ireland maintained - with critical flexibilities to maintain the flow of food supplies and medicines, and avoid the need for any new physical customs infrastructure.

The UK Government is also launching a new element of its Comprehensive Support Scheme for Traders. The Movement Assistance Scheme (MAS) will complement the existing Trader Support Service, which now has over 19,000 businesses enrolled. The MAS will provide assistance for traders moving food or agricultural products for which specific SPS controls apply - meaning the Government will cover, for example, reasonable costs for obtaining Export Health Certificates. Businesses can be assured that despite the new requirements of the Protocol, businesses will be supported to deal with new direct costs.

The deal means the whole of the United Kingdom will be able to make the most of the freedoms that come with the end of the Brexit transition period, including giving the Northern Ireland Executive the scope it needs to support its agricultural and fisheries producers outside the Common Agricultural Policy (CAP) and the Common Fisheries Policy (CFP). It also provides a solution to the inadvertent risk of "reach back" of the Protocol's state aid provisions to companies in Great Britain, requiring a "genuine and direct link" to commercial operations taking place in Northern Ireland.

This agreement in principle means the Protocol can be implemented in a pragmatic and proportionate way - protecting the territorial and constitutional integrity of the United Kingdom, upholding the Belfast (Good Friday) Agreement and helping to ensure there is no hard border on the island of Ireland.

The Chancellor the Duchy of Lancaster, Rt Hon Michael Gove, said:

This agreement with the EU provides stability and security for the people of Northern Ireland. We have guaranteed unfettered access for Northern Ireland businesses to the whole of the UK market, protected Northern Ireland's place in the UK customs territory and ensured the smooth flow of trade from Great Britain to Northern Ireland.

The UK Government has been working closely with ministers and officials from the Northern Ireland Executive on the implementation of the Protocol. And we have listened to the concerns raised by Northern Ireland businesses in designing our Trader Support Service, and the complimentary Movement Assistance Scheme we are launching today.

Secretary of State for Northern Ireland, Rt Hon Brandon Lewis, said:

The Government's top priority has been to protect the Belfast (Good Friday) Agreement and the gains made through the peace process. Our approach has been guided by this principle as we delivered against the commitments set out in our May Command Paper.

The agreement announced this week provides certainty to businesses in Northern Ireland, protects their interests and recognises Northern Ireland's integral place in the United Kingdom.

5. PQs

Customs: Northern Ireland

17 Feb 2021 | 151710

Asked by: Jim Shannon

To ask the Chancellor of the Exchequer, whether he plans to extend the customs exemption period beyond the deadline of 31 March 2021 for goods entering into Northern Ireland via Great Britain.

Answering member: Jesse Norman | Treasury

The Chancellor of the Duchy of Lancaster has written to the European Commission in relation to the implementation of aspects of the Northern Ireland Protocol. The letter has been published on GOV.UK: <https://www.gov.uk/government/publications/letter-from-the-chancellor-of-the-duchy-of-lancaster-to-the-vice-president-of-the-european-commission-2-february-2021>.

Trade: Great Britain and Northern Ireland

11 Feb 2021 | 689 c478

Asked by: Stephen Farry

The Chancellor of the Duchy of Lancaster will be very conscious of the tensions that are building in Northern Ireland and the need for some sort of creative solution. Does he recognise that the absence of a sanitary and phytosanitary or veterinary agreement with the EU makes the scale of the problems faced across the Irish sea much bigger than it needs to be? As such, will the Government consider going to the European Union to try to negotiate such an agreement over the coming months? That would go a long way to defusing many of the tensions and problems currently being faced.

Answered by: Michael Gove | Cabinet Office

The hon. Gentleman is right: there are a number of different ways in which these problems can be more effectively resolved. Thoughtful contributions from the Alliance party and others are very welcome. We want to look at a range of pragmatic solutions, and I am grateful to him and his colleagues for putting forward a potential way forward in a constructive spirit. There is no single right way forward, but, as I say, I am grateful to him and his colleagues for their constructive approach.

Trade: Great Britain and Northern Ireland

11 Feb 2021 | 689 c477

Asked by: Ruth Jones

The Minister will know that Manufacturing Northern Ireland has warned that the biggest challenge facing the Northern Ireland protocol is the lack of business preparedness in Great Britain. This is important for businesses on both sides of the Irish sea, and of course for hauliers in Wales and across the United Kingdom. Why has his Prime Minister—the Prime Minister for the Union—spent a year telling us that there will be no checks between Great Britain and Northern Ireland when we can all see that that is simply not the case?

Answered by: Michael Gove | Cabinet Office

The protocol that was negotiated as part of the withdrawal agreement is there to ensure unfettered access for goods from Northern Ireland to Great Britain, but it also ensures that we can play our part generously in supporting the maintenance of the EU single market by

making sure that there are processes. Those processes should be as light-touch as possible, and that is the aim of the conversations I am having with Vice-President Šefčovič and others.

Horticulture: Northern Ireland

11 Feb 2021 | HL12715

Asked by: Baroness Hoey

To ask Her Majesty's Government what plans they have to remove the ban on the import of soil in potted plants from garden centres in Great Britain to garden centres in Northern Ireland, as required by the Protocol on Ireland/Northern Ireland.

Answering member: Lord Gardiner of Kimble | Department for Environment, Food and Rural Affairs

Now that the transition period has come to an end, GB is treated as a third country by the EU, which means that the movements of plants and plant products from GB to the EU and NI are subject to the EU's plant health import requirements, including the restrictions on soil and growing media. The new sanitary and phytosanitary (SPS) requirements on goods moving from GB to NI were put in place by the UK Government as part of the UK's approach to the Northern Ireland Protocol, and will uphold the longstanding status of the island of Ireland as a single epidemiological unit.

It is permissible to move plants (potted or otherwise) with growing media attached to them from GB to the EU and NI, as long as that growing media meets the EU's import requirements. Defra has been working closely with trade associations to develop guidance on growing media and how traders can fulfil the EU's requirements. This guidance has been published on the Plant Health Portal.

Provided that plants and growing media meet the EU's import requirements, a phytosanitary certificate will be issued to facilitate movements from GB to NI.

The UK Government is engaged in discussion with the European Commission to seek a lifting of plant health prohibitions, including those on soil and growing media as a commodity. These discussions are ongoing.

UK Internal Trade: Northern Ireland

11 Feb 2021 | HL12708

Asked by: Lord Empey

To ask Her Majesty's Government what assessment they have made of the impact on Lough Neagh eel fishermen of no longer being able to sell their produce to Great Britain; and what steps they will take to ensure that businesses in Northern Ireland can trade freely with Great Britain.

Answering member: Lord Goldsmith of Richmond Park | Department for Environment, Food and Rural Affairs

European Eel is a critically endangered species and, as such, its trade is tightly regulated. As a result of the Northern Ireland protocol, trade in European Eel to and from Northern Ireland now falls under the EU's rules. Lough Neagh Fisherman's Co-operative can continue to access the EU market for European Eel, which normally accounts for over 80% of their sales. The UK Government has made the scientific case for some continued trade between Northern Ireland and Great Britain, on the basis that it would not be detrimental to the species as a whole.

12 The movement of goods between Great Britain and Northern Ireland

However, the EU have not accepted this case so, Lough Neagh Fisherman's Co-operative will be unable to trade European Eel with Great Britain during 2021. The Government is seeking independent peer review of the scientific case for ongoing trade and will re-present this case to the EU later in 2021, for further consideration. The Government is also exploring other options to reduce the regulatory requirements for movements from Northern Ireland to Great Britain of the limited goods to which they apply.

[UK Relations with EU](#) 09 Feb 2021 | HL13016

Asked by: Lord Rogan

To ask Her Majesty's Government whether they have conducted a risk analysis of the consequences of the UK invoking Article 16 of the Protocol on Ireland/ Northern Ireland; and, if so, whether they will publish it.

Answering member: Lord True | Cabinet Office

As I made clear in my statement to the House on 2 February, there is an urgent need to address all outstanding issues relating to the Northern Ireland Protocol in order to deliver for the people of Northern Ireland and restore confidence. The letter sent to Vice-President Sefcovic by the Chancellor of the Duchy of Lancaster, on 2 February, sets out the issues that the UK Government consider must be addressed, including grace periods.

The Government continues to regularly engage and work with stakeholders, including suppliers and hauliers in Great Britain. To assist traders, this Government launched the £200m Trader Support Service in December 2020, providing guidance, training and support for businesses in Great Britain and Northern Ireland on moving goods and any limited processes that may apply. Over 32,000 traders have registered, so far, for this service - including 3,000 hauliers.

In the days immediately following the end of the transition period, we were aware of a small number of traders who temporarily suspended deliveries to Northern Ireland. We are keeping this under review.

COVID-19 remains the main economic pressure being faced in Northern Ireland but the Government continues to monitor the flow of goods into Northern Ireland.

[UK Internal Trade: Northern Ireland](#) 08 Feb 2021 | HL12503

Asked by: Baroness Hoey

To ask Her Majesty's Government what plans they have to establish a body similar to InterTradeIreland to promote (1) free trade, and (2) business links, between Great Britain and Northern Ireland.

Answering member: Viscount Younger of Leckie | Northern Ireland Office

Northern Ireland's place in the UK customs territory is assured and unfettered access for Northern Ireland goods to the rest of the UK market has been protected. We have also protected tariff-free trade within the UK and Northern Ireland's place in the UK VAT area.

The Government has put over £200m into the Trader Support Service, supporting businesses engaged in new processes under the Protocol. Further, the Movement Assistance Scheme provides assistance for traders moving agricultural products, meaning traders will not need to pay certification costs, and the UK Trader Scheme ensures there

are no new tariffs for businesses and consumers on internal UK trade. This means that trade between Great Britain and Northern Ireland is as streamlined as possible.

The UK Board of Trade champions exports, inward investment and outward direct investment to deliver economic growth and prosperity across the whole of the United Kingdom. The UK Government committed to hosting the Board of Trade in Northern Ireland annually in the New Decade, New Approach agreement and it will be held in Northern Ireland later this year.

We have also underlined our ongoing support for peace and prosperity in Northern Ireland and we will provide £400m for a New Deal for Northern Ireland - supporting businesses and communities to prosper and thrive from the end of the transition period and beyond.

UK Internal Trade: Northern Ireland

02 Feb 2021 | 145075

Asked by: Louise Haigh

To ask the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, if he will publish the complete list of products on the Prohibited and Restricted List that will require a variation of Export Health Certificates on trade between Great Britain and Northern Ireland from 22nd February 2021.

Answering member: Penny Mordaunt | Cabinet Office

Further to the answer given by the Chancellor of the Duchy of Lancaster the urgent question today, details of the products are available online at <https://www.gov.uk/guidance/export-food-and-agricultural-products-special-rules#restricted-and-prohibited-goods>

Details of the agreements reached within the Joint Committee, including on chilled meats, are also available online.

Customs: Large Goods Vehicles

02 Feb 2021 | 143743

Asked by: Rachel Reeves

To ask the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, how many haulage lorries have been delayed at UK borders as a result of inadequate paperwork each week since 1 January 2021.

Answering member: Penny Mordaunt | Cabinet Office

Goods are moving effectively between Great Britain and Northern Ireland and there are no significant queues at Northern Ireland ports.

Border Force has put in place additional resource in Northern Ireland to manage any operational requirements following the end of the Transition Period, including under the terms of the Northern Ireland Protocol. The UK Government is working closely with the Northern Ireland Executive on the implementation of the requirements of the Protocol.

Goods also continue to move effectively between Great Britain and the European Union. Compliance with new border requirements continues to improve. The numbers of HGV freight turned back at the Short Straits, either for lack of border readiness or inability to present a negative COVID test has been low and decreasing over time, with an average of less than 5% over the period from 20-26 January. The Government is working with industry to ensure traders understand the new border requirements.

UK Internal Trade: Northern Ireland

28 Jan 2021 | HL12153

Asked by: Baroness Hoey

To ask Her Majesty's Government, further to the Protocol on Ireland/Northern Ireland, how they define unfettered market access for goods moving from Great Britain to Northern Ireland.

Answering member: Lord True | Cabinet Office

I refer the noble Lady to the answer given to [PQHL11816](#) [see below].

As set out on gov.uk, and in the Government's December Command Paper, our unfettered access policy will mean that Northern Ireland businesses can continue to move their goods from Northern Ireland to Great Britain, and place them on the whole UK market, without new barriers being put in place. That is given full effect through our phased approach. In the first phase, which has been operating since 1 January, goods moving directly from Northern Ireland directly to Great Britain will benefit from unfettered access. There will be no new checks or controls on those movements. And even where goods move indirectly via Ireland, there will be no tariffs on those movements. This will be followed up with a second phase over the course of 2021 which will focus the benefits of unfettered access specifically on genuine Northern Ireland businesses. Alongside that, the UK Internal Market Act 2020 ensures that those businesses will continue to place those goods on the GB market.

UK Internal Trade: Northern Ireland

22 Jan 2021 | 137355

Asked by: Holly Mumby-Croft

To ask the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, what steps he is taking to improve and clarify the customs process for companies moving products from Great Britain to Northern Ireland.

Answering member: Penny Mordaunt | Cabinet Office

The UK Government has provided comprehensive guidance on the processes that apply for moving goods between Great Britain and Northern Ireland, which is available on gov.uk. This includes the various means that are in place - whether through the UK Trader Scheme, the de minimis waiver arrangements, or the preferential arrangements available under the UK-EU Trade and Cooperation Agreement - to ensure goods are able to move from Great Britain to Northern Ireland tariff-free. We have also established the Trader Support Service, to which more than 27,000 companies are signed up, to support traders engaging in those processes. It is complemented by the Movement Assistance Scheme which provides assistance for traders moving food or agricultural products for which specific SPS controls apply.

As my Rt Hon Friend, the Chancellor of the Duchy of Lancaster set out in the Commons on 13 January, the UK has operated arrangements since 1 January to ensure relevant UK-origin steel products do not incur tariffs when moving to Northern Ireland from Great Britain. EU origin steel will also not be subject to tariffs when moving from Great Britain to Northern Ireland. On 21 January the Government also set out to stakeholders how relevant quotas can be accessed when businesses in Northern Ireland import steel from the rest of the world, and we remain in intensive contact with industry as these arrangements are put in place.

Retail Trade: Northern Ireland

20 Jan 2021 | HL12003

Asked by: Baroness Ritchie of Downpatrick

To ask Her Majesty's Government what steps they are taking to mitigate the impact of reported stock shortages at food and other retail outlets in Northern Ireland, following the end of the transition period for the UK's departure from the EU and the implementation of the Protocol on Ireland/Northern Ireland.

Answering member: Viscount Younger of Leckie | Northern Ireland Office

Goods are flowing effectively and in normal volumes between Great Britain and Northern Ireland, and no disruption has been reported at Northern Ireland ports.

The UK Government's Trader Support Service (TSS) is an end-to-end service which guides traders through all import processes at no additional cost. The TSS provides free advice and support to businesses of all sizes and since 1 January 2021, where the correct data are provided, over 99% of TSS processed declarations have been completed within 15 minutes.

In addition, the agreement that the UK Government reached on the Northern Ireland Protocol provides a sensible, phased solution under which trusted traders such as supermarkets and their suppliers will benefit from a three month grace period from official certification. The grace periods for businesses moving goods between Great Britain and Northern Ireland are in operation and working well. We recognise some challenges faced by the haulage industry, such as on the issue of groupage, and we are working intensively with industry to resolve these. We continue to work closely with traders as they adapt to the new arrangements.

Dogs: Imports

15 Jan 2021 | 133301

Asked by: Carla Lockhart

To ask the Secretary of State for Environment, Food and Rural Affairs, what resources his Department provides to help check and validate the welfare and legitimacy of puppies being transported between Great Britain and the Northern Ireland.

Answering member: Victoria Prentis | Department for Environment, Food and Rural Affairs

Pet travel is a devolved matter. Pet checking and welfare in transport regulations are undertaken and enforced by the relevant UK administration.

In Great Britain, the Animal and Plant Health Agency (APHA) works collaboratively with Border Force and other operational partners at ports, airports and inland, sharing intelligence to enforce the pet travel regulations which apply, disrupt illegal imports and seize non-compliant animals. Any animals found to be non-compliant with the pet travel regulations which apply may be refused entry or detained until compliant.

When animals are transported for a commercial purpose, their transportation must comply fully with legal requirements aimed at protecting their welfare. APHA takes an intelligence-led approach at the GB border towards tackling the illegal trade in dogs. As part of this activity APHA identifies and acts to safeguard the welfare of animals where transport is non-compliant with legal requirements.

Customs: Northern Ireland

07 Dec 2020 | HL10609

Asked by: Baroness Jones of Whitchurch

To ask Her Majesty's Government how many customs border points will be in place between Northern Ireland and Britain at the end of the transition period of the UK's departure from the EU; where any such border points will be sited; and how many trained inspectors will be employed at each border point.

Answering member: Lord Agnew of Oulton | Treasury

The Government has been clear that it does not see the need to construct any new bespoke customs infrastructure in Northern Ireland (or in Great Britain ports facing Northern Ireland) in order to meet its obligations under the Protocol.

As set out in the Command Paper on the Northern Ireland Protocol, the Government guarantees unfettered access for Northern Ireland's businesses to the whole of the UK market. This means no declarations, tariffs, new regulatory checks or customs checks. There will be only very limited exceptions to this, for example in upholding international obligations (such as in the movement of endangered species).

Goods moving from GB into NI will be subject to very limited additional processes such as electronic import declarations and traders can receive assistance for these from the free-to-use Trader Support Service.

UK-EU Future Relationship: Businesses

02 Dec 2020 | 685 c293

Asked by: Sir Jeffrey M. Donaldson

The Secretary of State will recognise the importance to Northern Ireland businesses of getting agreement on the classification of qualifying goods and qualifying businesses as they relate to trade between Great Britain and Northern Ireland within the UK single market. What progress has been made on securing such agreement and on defining at-risk goods, and what measures will the Government bring forward in legislation to ensure that Northern Ireland businesses really do have unfettered access to the UK internal market?

Answered by: Brandon Lewis | Northern Ireland Office

On an equally serious note, as the right hon. Gentleman knows, this Government are committed to ensuring that Northern Ireland businesses have unfettered access to the rest of the United Kingdom. That is why we have taken the steps that we have taken in legislating for the first phase of unfettered access; that is what those clauses in the United Kingdom Internal Market Bill are for. We are building on and learning from the discussions that we have had with businesses and the Northern Ireland Executive. We are pushing hard to secure agreement with the EU on a number of outstanding issues that relate to the protocol, including that of at-risk goods. We accept that tariffs should be paid on goods moving from Great Britain into the EU, but there should not be any tariffs on internal UK movements that begin in Great Britain and end in Northern Ireland; they are internal movements. I hope that the right hon. Gentleman will understand that I am not able to comment on the progress of the negotiations, although we are keen to move through them as quickly as possible. I reassure him that we are focused on those issues and are determined to deliver in full on our commitments to the people of Northern Ireland.

[UK Internal Trade: Northern Ireland](#)

01 Dec 2020 | 121304

Asked by: Louise Haigh

To ask the Chancellor of the Exchequer, whether the Trader Support Service will provide assistance on (a) SPS checks and (b) the transiting of Northern Ireland to Great Britain goods via Dublin port.

Answering member: Jesse Norman | Treasury

The Trader Support Scheme will offer core services focusing on both trader education and the completion of customs processes.

- In relation to trader education, the Service will:
 - educate businesses on what the Protocol means for them, and the steps they need to take to comply with them (including getting relevant Economic Operators Registration and Identification (EORI) numbers)
 - support businesses developing processes to accurately provide the Trader Support Service with all the information it needs to submit declarations on their behalf (including information on the 'risk' status of the goods)
 - advise businesses on the additional documents/licences that they will need (for example, a permit is needed to import endangered species (CITES) goods).
- In relation to completing processes, the Service will:
 - submit relevant declarations into CDS (and hold the necessary authorisations required for simplified declarations)
 - submit relevant safety and security declarations into HMRC's Import Control System (ICS)

The Trader Support Service will be able to help all traders who need the service, regardless of size and at no additional cost, to support businesses with changes to trade under the Northern Ireland Protocol.

[Borders: Northern Ireland](#)

30 Nov 2020 | 120912

Asked by: Louise Haigh

To ask the Secretary of State for Environment, Food and Rural Affairs, whether construction has begun on the expanded infrastructure required at each Border Control post in Northern Ireland.

Answering member: Victoria Prentis | Department for Environment, Food and Rural Affairs

The UK Government has been working closely with the Northern Ireland (NI) Executive, and specifically DAERA, on additional or expanded Border Control Post designations at NI points of entry. Work is ongoing at the Points of Entry at Larne, Belfast and Warrenpoint Ports to deliver the facilities needed to undertake sanitary and phytosanitary checks on goods coming into NI from Great Britain (GB) following the end of the transition period. This work has been principally informed by existing trade patterns.

The UK Government is in negotiations with the EU about GB-NI movements. Once these negotiations are complete and a clear process for GB-NI has been defined we will communicate this.

UK Internal Trade: Northern Ireland

12 Nov 2020 | 109382

Asked by: Gavin Robinson

To ask the Secretary of State for Health and Social Care, what steps the Government is planning to take to mitigate the effect of the Border Operating Model on the supply of (a) urgent medical supplies and (b) other goods from Great Britain to Northern Ireland after the transition period.

Answering member: Edward Argar | Department of Health and Social Care

After the end of the transition period, the United Kingdom will have autonomy over the regulation of goods, including medicines. As set out in the Northern Ireland Protocol, which will take effect on 1 January 2021, Northern Ireland will continue to follow the European Union acquis for medicines. The Government has been in intensive discussion with the European Commission on how to safeguard the crucial flows of medicines and medical products into Northern Ireland from other parts of the UK from the end of the transition period.

The parties have agreed a pragmatic approach to implementation, including a one year time-limited approach to the application of the regulatory requirements for imports and the 'safety feature' elements of the Falsified Medicines Directive. This was set out in the UK Government statement of 5 November following the fourth meeting of the Ireland/Northern Ireland Specialised Committee. This approach gives industry the time and flexibility it needs and ensure that medicines can continue to flow to Northern Ireland. Further industry guidance on moving medicines to Northern Ireland after the end of the transition period will be published shortly.

UK Internal Trade: Northern Ireland

20 Oct 2020 | 103660

Asked by: Stephen Farry

To ask the Secretary of State for Northern Ireland, what steps he is taking to ensure that goods produced in Northern Ireland do not face competitive disadvantage when placed on the market in Great Britain.

Answering member: Robin Walker | Northern Ireland Office

The UK Government has committed to delivering unfettered access for Northern Ireland businesses in legislation, including through the UK Internal Market Bill and the Qualifying Northern Ireland Goods Regulations.

The UK Internal Market Bill will prohibit new checks and controls on qualifying Northern Ireland goods, and through the mutual recognition principle will enable qualifying Northern Ireland goods to be placed on the market in Great Britain without additional approvals. This will ensure direct trade from Northern Ireland to Great Britain will continue as it does now.

The non-discrimination principle contained in the bill will also apply fully to qualifying Northern Ireland goods. This principle will apply to certain types of regulatory requirements not captured by mutual recognition, for example on transportation and manner of sale, and will prevent requirements that discriminate against qualifying Northern Ireland goods by putting them at a disadvantage when sold in Great Britain.

Furthermore, through the UK Common frameworks programme we will work with the devolved administrations to ensure that coherent approaches are maintained across the UK in frameworks policy areas from the end of the transition period.

[Engagements](#)

02 Sep 2020 | 679 cc158-9

Asked by: David Jones

Discussions in the Joint Committee established under the withdrawal agreement will have the most crucial bearing on the future of trade, not only between the UK and the EU but within the UK itself. Unless otherwise agreed in that Committee, goods passing from Great Britain to Northern Ireland will be subject to the full rigour of the European customs code and to the imposition of tariffs. That would be quite unacceptable, so will my right hon. Friend commit to do whatever it takes to ensure that it does not happen?

Answered by: Boris Johnson | Prime Minister

My right hon. Friend is absolutely right to raise the concern that he does. We must, of course—and will—deliver on what the protocol says, which is that there shall be unfettered access between GB and NI, and NI and GB, and there shall be no tariffs. We will legislate in the course of the next months to guarantee that.

6. Statements

[Protocol on Northern Ireland: Disruption to Trade](#)

14 Jan 2021 | House of Lords | 809 cc882-6

Minister of State, Cabinet Office (Lord True): The following Answer to an Urgent Question was given in the House of Commons on Wednesday 13 January.

“I am grateful for the chance to update the House on the operation of the Northern Ireland protocol. The protocol exists to recognise Northern Ireland’s unique position as the only part of our United Kingdom to have a land border with the EU. It was designed to ensure that no customs infrastructure is needed between Northern Ireland and the Irish Republic, while protecting unfettered access for Northern Ireland’s businesses to the rest of the UK market, and the gains of the peace process, and, of course, respecting Northern Ireland’s position as an absolutely integral part of the United Kingdom.

As with any new trading arrangement, the protocol undoubtedly generates challenges as well as providing solutions. The Government are committed to addressing those challenges by providing pragmatic solutions to any problems that arise and to working with the Northern Ireland Executive in the interests of all the people of Northern Ireland.

UK Government Ministers are in daily contact with Ministers in the Executive, and with businesses in Northern Ireland and Great Britain, to ensure the effective operation of the protocol. Inevitably, the impact of Covid and the steps taken by the French Government at their border have affected retail businesses across the United Kingdom, but it is important to stress that freight volumes into Northern Ireland’s ports are at normal levels for this time of year. There have been no significant queues, and supermarkets are now generally reporting healthy deliveries of supplies into Northern Ireland.

None the less, the new processes that the protocol asks of businesses that are moving goods from Great Britain to Northern Ireland require the Government to do more. We are working with companies across Great Britain to help them understand the new

20 The movement of goods between Great Britain and Northern Ireland

requirements for moving goods, and the extensive government support includes the trader support service, to which more than 25,000 businesses are now signed up, yet we know that still more needs to be done.

That is why we are stepping up direct engagement with suppliers to ensure they have access to the real-time guidance they need, and we are also working closely with industry to address specific problems of moving mixed food loads from Great Britain to Northern Ireland through the process known as groupage. In the coming days, the Government will issue new guidance on the practical mitigations that have been developed with industry to enable this important practice to continue and to support hauliers and suppliers.

We also recognise that a number of hauliers have been affected by significant issues at Dublin Port. We welcome the easements that have been introduced by the Irish Government, but movements via Dublin are substantially lower than normal, so we have to intensify our engagement with the Irish authorities.

More broadly, the grace periods for supermarkets and their suppliers are now working well, but we are already planning for the streamlined replacements that will follow. A dedicated team within Defra, working with the Cabinet Office, is also in touch with the industry to promote readiness, supported by new specific government funding.

Ultimately, the future of the protocol is in the hands of Northern Ireland's people, and its renewal is a question of democratic consent. The responsibility of this Government is to ensure that it operates in an effective, legal and pragmatic way, and that is the spirit in which we approach its implementation."

7. Michael Gove letter

[Letter from the Chancellor of the Duchy of Lancaster to the Vice President of the European Commission: 2 February 2021](#)



Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
Cabinet Office 70 Whitehall London
SW1A 2AS

Vice-President Maroš Šefčovič
European Commission
By email only

2 February 2021

Dear Maroš,

NEXT STEPS ON THE NORTHERN IRELAND PROTOCOL

Thank you for our discussions over the weekend on the Northern Ireland Protocol. I appreciated your constructive approach and clear desire to improve the situation on the ground.

As we discussed, I am writing to set out the rapid action that I believe is now required.

As I indicated on our call, I think it is important first to report the overwhelming reaction there has been in Northern Ireland, and across these islands, at the events of Friday. I had expected a strong response, but the reaction was even more negative than I had anticipated. Across all political parties, civic society and business organisations in Northern Ireland there was a sense of shock and anger. The feelings of disappointment were particularly acute given the concerns that had already arisen about the practical operation of the Protocol and its economic and societal effects. The real concern that all citizens and businesses have about their health and livelihoods at this very difficult time during the pandemic only deepened anxiety. Our next steps must reflect and deal with this reality, and I know we will be able to do so in the collaborative way in which we conducted negotiations last year.

Implications of Commission actions

We draw two particular conclusions from the publication of Commission Implementing Regulation (EU) 2021/111 on 29 January. First, that the Commission was ready to impose customs processes on goods crossing the border between Ireland and Northern Ireland within hours. Second, that the Commission activated, however briefly, Article 16 of the Protocol. This Article exists for good reason. But it is meant to be invoked after due process, as set out in the Protocol: where either party *"is considering taking safeguard measures under Article 16(1) of this Protocol, it shall, without delay, notify the Union or the United Kingdom, as the case may be, through the Joint Committee and shall provide all relevant information."* The requirement to notify without delay applies even where there are exceptional circumstances requiring immediate action.

Despite these clear provisions of the Protocol, the UK found out about this measure only through publication of the Regulation and subsequent media coverage (as, we understand, did the Irish Government). The fact that the Regulation was subsequently withdrawn and then reformulated does not change these realities, which have been well noted in Northern Ireland and beyond, and which have profoundly undermined the operation of the Protocol and cross-community confidence in it.

Next steps

There is now a revised regulation in place, Regulation (EU) 2021/111. We were not consulted on this Regulation either. The UK Government's assessment is that this Regulation places no restrictions or new processes of any kind on movements of vaccine from Northern Ireland to Great Britain, in accordance with Article 6 of the Protocol (as well as no restrictions from the European Union to Northern Ireland).

Given the extent of the concern in Northern Ireland, and the notable caveats made in the Commission's statement on Friday evening announcing the withdrawal of Article 16, I would also be grateful for your reassurance that the EU will not seek to introduce any further measures that would restrict or prohibit the movement of any vaccines or medicines in to Northern Ireland.

More broadly, we must now rebuild trust and confidence in Northern Ireland, in a calm but effective manner. The need to restore confidence and protect the Belfast 'Good Friday' Agreement is urgent.

We are both well aware that there are a number of pressing problems with the operation of the Protocol that need to be addressed and we must do so this week.

The Protocol is clear that it should impact as little as possible on the everyday life of communities. With this in mind, the UK Government therefore believes that we should reach agreement this week on the following proposals. These are the minimum set of steps necessary to stabilise the situation and reassure all parties in Northern Ireland.

1. The ***arrangements that currently apply to supermarkets and their suppliers must be extended*** until **at least 1 January 2023**. The eligibility for these arrangements must also be adapted so that all relevant local businesses and services are able to be included as authorised traders. This must be accompanied by a commitment to rapid work on a proportionate, risk based long-term solution that recognises the very low risk nature of retail movements by trusted traders.
2. A ***permanent solution should be put in place for those chilled meat products moving GB-NI that are otherwise prohibited***. If this in practice requires further time and engagement, then a temporary solution must be in place until **at least 1 January 2023**.
3. The ***temporary arrangements that are currently in place for parcels, including for Royal Mail Group, moving from Great Britain to Northern Ireland must remain in place until at least 1 January 2023*** to allow for time for a light-touch permanent solution for parcels destined for consumers to be properly codified. It is

also important that the regulatory barriers which retailers have indicated are preventing deliveries to individual consumers residing in Northern Ireland (for example for delivering organic foods or plant material) must also be set aside for that period at least, given that these deliveries to citizens clearly have no relevance whatsoever to the EU Single Market. Further consideration will be needed on when to introduce requirements for parcels destined for businesses.

4. The **arrangements on medicines agreed last December should be extended for a further year at least to 1 January 2023**. We must also immediately resolve for Northern Ireland patients all outstanding practical issues on medicines; and set out a long-term approach that will ensure no barriers of any kind to the movement of medicines into Northern Ireland.
5. To address the risk of anomalies caused by the unilateral legislation introduced by the Commission last year on EU import quotas, including Tariff Rate Quotas (TRQs), and the continued absence of an appropriate expansion of UK-EU quotas in the specific case of steel movements to take account of the unique circumstances of Northern Ireland, the **United Kingdom will set out solutions to enable goods to move tariff-free in line with product-specific quotas**, including for movements of steel into Northern Ireland from the Rest of the World and Great Britain. We have previously expressed our serious concern at the unilateral imposition of this TRQ legislation last year by the EU, and reserve our position on its application.
6. Respecting the unique circumstances of the island of Ireland, the Commission should authorise the Irish Government under the terms of Article 4(1) of Council Decision 2020/135 to negotiate **a bilateral arrangement that comprehensively addresses the barriers that are imposed on pet travel between Great Britain, Northern Ireland and Ireland**.

In addition, we should look as a matter of urgency at those autonomous processes subject to ongoing consideration in a broader UK-EU context, but where the unique circumstances in Northern Ireland and on the island of Ireland may not have been fully considered. **This particularly applies to the movements of seed potatoes and other plants and plant products, as well as the mutual recognition of professional qualifications.**

The issues above do not represent the complete list of flexibilities that are required on the Protocol. Working with the Northern Ireland Executive, the UK Government has compiled a wider list of issues that will be provided separately, covering more specific but nonetheless very important issues. While there is more time to address these issues, we will need to take forward a comprehensive work programme to resolve all these difficulties.

I must make clear that the UK Government seeks urgent resolution of these problems in the context of our obligations to seek commonly acceptable solutions, and recognising the pressing need to restore confidence among people in Northern Ireland that the Belfast 'Good Friday' Agreement is being respected in all its dimensions. If it is not possible to agree a way forward in the way we propose, then the UK will consider using all instruments at its disposal.

In all cases, what is now required is political, not technical, solutions. A primarily technical approach led to what I know you agree was a grave error on 29 January. Northern Ireland would not be where it is today if the negotiations leading to the 1998 Agreement had been done on a technical and legalistic basis. What is required now is an urgent reset to put the Belfast 'Good Friday' Agreement, the people of Northern Ireland, and indeed the island of Ireland, first. I know you appreciate the seriousness of the situation and I am grateful for your constructive and pragmatic approach to these questions.

I am copying this letter to the First Minister and deputy First Minister of Northern Ireland.

With every good wish,

A handwritten signature in black ink that reads "Michael Gove". The signature is written in a cursive, flowing style.

**Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
and Minister for the Cabinet Office**

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