




Commentary


Brexit: a promising agreement for Northern Ireland but many challenges ahead

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The recently published [withdrawal agreement](#)¹ spells the beginning of the end for Brexit. Theresa May and the EU believe the agreement is the best outcome resulting from the EU-UK negotiations. This 585-page withdrawal Treaty agreed by the European Union and the British Government is now ready to be voted on by the British Parliament. On November 25th, the EU leaders agreed in the less than an [hour](#)² on the UK's Brexit agreement at the Brussels summit. Now the pressure is on Great Britain to vote on the agreement on December 11th.

However, not everything has gone smoothly for Britain: several of Theresa May's cabinet ministers resigned over the new deal; Esther McVey quit alongside junior ministers Suella Braverman and Shailesh Vara. But it was her own Brexit Secretary and Chief Negotiator [Dominic Raab](#)³, who caused the biggest commotion for the Prime Minister. He resigned stating that he had fought for a good deal, but the terms had two major [flaws](#)⁴: “The first is that the terms being offered by the EU threaten the integrity of the United Kingdom and the second is that they would lead to an indefinite if not permanent situation where we are locked into a regime with no say over the rules being applied, with no exit mechanism”.

Whereas several counterparts and May herself believe that this deal is a big step forward, the EU Chief Brexit Negotiator Michel Barnier [stated](#)⁵ that “In my capacity as the EU's chief negotiator, I consider that we have achieved decisive progress in the Brexit negotiations. The UK will remain our friend, our ally and our partner”.

A deal which promotes stability during the divorce

The deal is an example of the effectiveness of negotiations. Many commentators and policy makers from both UK and the EU outlined the dreaded prospects of a no-deal. They foresaw dire situations such as planes being grounded, [Mars](#)⁶ bars running out, people losing the right to free movement, pensions not being paid, trucks backed up for one hundred miles from Dover.

The fear of a no-deal Brexit still looms large in the minds of British citizens as food manufacturers and retailers are running out of cold storage space in Britain. In an effort to lessen the impact of a supply interruption from a no deal Brexit, they are stockpiling thousands of tons of frozen foods, according to the Food Storage and Distribution Federation representing 350 warehouse [owners](#)⁷. A no deal would have reverted EU-British relations back to zero across all [areas](#)⁸: trade, people, laws, the border etc.

The agreement proposes and promotes stability during the divorce period. It is a guidebook that can be referred to, for which people and businesses can begin to continue relations and get on with their lives. It covers multiple sectors including immigration, trade, citizens' rights, justice, security, dispute settlements. Most of all, it allows for a 21-month transition period to smooth post-Brexit relations, with the possibility of a once-off extension. It also sets up the amount of the money that the UK owes to the EU - an estimated £39bn.

¹ https://ec.europa.eu/commission/sites/beta-political/files/draft_withdrawal_agreement_0.pdf

² <https://www.bbc.com/news/uk-46334649>

³ <https://twitter.com/DominicRaab?lang=en>

⁴ <https://www.bbc.com/news/uk-politics-46221896>

⁵ <https://blogs.spectator.co.uk/2018/11/michel-barnier-hails-the-draft-brexit-withdrawal-agreement/>

⁶ <https://www.independent.co.uk/life-style/food-and-drink/brexit-no-deal-mars-bars-run-out-weeks-michael-gove-import-dover-a8638976.html>

⁷ <https://www.irishtimes.com/news/world/uk/dup-hardens-stance-on-may-s-proposed-brexit-deal-1.3702095>

⁸ <https://inews.co.uk/news/brexit/no-deal-brexit-what-meaning-uk-leave-uk-consequences/>

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Above all the deal is (objectively) fair and ensures continued strong relations between the EU and the UK. As the President of the European Commission [Jean Claude Juncker](#)⁹ stated, “This is the best deal for Europe, this is the best deal for Great Britain (...) this is the only deal possible”. This is not a victory for either side, but it is a solution to maintain the strong partnership that binds Great Britain and the EU. Above all, it is an important result for the EU especially as the need for [unity](#)¹⁰ between the current Member States is more important now than ever.

Northern Ireland-difficult issue

Northern Ireland was always going to be a difficult issue for the negotiators: In terms of either choosing what type of border will exist so that peace, trade and free movement is maintained for all stakeholders. The agreement includes a “[backstop](#)¹¹” - a kind of safety net to ensure there is no “hard border” between the Republic of Ireland and Northern Ireland whatever the outcome of future trade negotiations between the UK and the EU. This stays in line with the terms of the 1998 Good Friday Agreement which ensures no “hard border” to safeguard peaceful movement between people and goods. Certain products like live animals will undergo checks and controls but peaceful cooperation has been given top priority.

The DUP's change of heart

Next, Theresa May needs to get the deal through the House of Commons. This will not be easy because out of the total 650 seats, 11 Members of Parliament (MPs) do not take part in voting – the Speaker, John Bercow and his three deputies; and the 7 Sinn Féin (MPs) from Northern Ireland. That leaves 639 MPs, meaning that Theresa May needs 320 votes to get her over the line. She is counting on the 10 votes from the Democratic Unionist Party (DUP), votes that she had previously believed she had secured with a Confidence and Supply Agreement signed with the DUP in June 2017, which is to deliver additional funding to Northern Ireland. If the DUP vote against the Brexit agreement, the deal would go away.

However, the deputy leader of the DUP, [Nigel Dodds](#)¹², has indicated that the DUP will vote against the withdrawal deal when it comes to Parliament. What has made the DUP unhappy? The DUP attitude even before they saw the 585-page agreement document seemed to be – “I haven't seen it, I don't like it and I won't be voting for it”.

The DUP appears to be out of step with their constituents on one hand and business actors on the other, as the majority of Northern Irish business federations supports the deal. Several Northern Irish lobby groups and confederations such as The Confederation of British Industry Northern Ireland and The Ulster Farmers' Union (UFU) have already stated that the deal is good for Northern Ireland and brings some much-needed clarity to their future. Likewise, the Irish [government](#)¹³ welcomed the draft agreement, stating that it “protects the fundamental” aspects of the Good Friday Agreement.

As far as the DUP are concerned, they will never support a Brexit deal that ties Northern Ireland closer to the EU than the rest of the UK, despite the calls from their people, their enterprises and the majority Northern Irish remain vote.

⁹ <https://www.reuters.com/article/us-britain-eu-deal-juncker/eus-juncker-says-of-brexit-this-is-the-best-deal-the-only-deal-possible-idUSKCN1NU0G3>

¹⁰ <https://www.vocaleurope.eu/brexit-threatens-to-turn-eus-divide-into-an-unbridgeable-chasm/>

¹¹ <https://news.sky.com/story/draft-brexit-agreement-in-detail-what-you-need-to-know-11554969>

¹² https://twitter.com/NigelDoddsDUP?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

¹³ <https://www.bbc.com/news/uk-northern-ireland-46202568>

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Sinn Féin's abstentionism, a factor that slows progress

Although the DUP seems extreme in its belief, it is not the only party whose extreme beliefs have an effect on Brexit. The abstentionism of the Irish Republican political party Sinn Féin continues to slow progress for both sides. Even though several Sinn Féin members are elected to Westminster, they continue their practice of abstentionism as they oppose Westminster's jurisdiction in Northern Ireland, and to the oath to the Queen. For 101 years, they have refused to partake in debates and votes in the British Parliament. This abstentionism can be seen as futile and counterproductive by many but others consider it a necessary measure to protect their beliefs in a united Ireland.

While the unionist sides of Northern Ireland are using their voices, the nationalist Sinn Féin is missing out on an opportunity for their voice to be heard and make a difference. Taking their seats would not only allow Sinn Féin MPs to influence developments in Brexit but would also give more substance to their strong "remain" stance.

Even the Irish Taoiseach (Prime Minister) [Leo Varadkar](#)¹⁴ has said that Sinn Féin should take up their Westminster seats or resign. Sinn Féin proclaimed recently in a statement that they will not take their Westminster seats to 'save'¹⁵ the Brexit deal, further silencing the nationalist voices in Northern Ireland. The Unionist communities are represented in Westminster, but not by the leader of the DUP, Arlene Foster, who does not have a seat in Westminster. Therefore, at times, she can appear distant and does not seem fully in charge of the party.

The Democratic Unionist Party (DUP) held its annual [conference](#)¹⁶ on November 24th. Their anti-agreement stance was continued here with Arlene Foster stating that "There cannot be a border down the Irish Sea, a differential between Northern Ireland and the rest of the UK". To the detriment of the Northern Irish business and farmer groups, the DUP will ultimately vote down anything that pushes them away from Great Britain. This belief was further encouraged by brexiteer and anti-withdrawal agreement MP Boris Johnson. His speech at the conference amplified the DUP worst fears of a united Ireland stating that the withdrawal agreement would create additional rules and checks on trade between Northern Ireland and Britain, thus blocking their bond. In the DUP's eyes, this hard stance can be well founded due to memories of 'betrayal' between Great Britain and Northern Ireland such the 1985 Anglo-Irish agreement when Great Britain went around Northern Ireland and gave the government of Ireland an official consultative role in the affairs of Northern Ireland.

History repeating itself

The importance of the Northern Irish border is one that has been in debate since 1920. Parallels have been drawn between Theresa May and Irish revolutionary and political leader Michael Collins. Collins was sent to Britain, in 1920, to negotiate a peace treaty with the British government after the Irish war for independence. He was left in an identical situation, returned to Ireland with a new treaty that came with several unappealing stipulations for Dáil Éireann-the Irish Parliament- such as pledging allegiance to the King of England and the creation of a border that separated Northern Ireland from the rest of the country. Ironically, this very border has now come back to haunt the UK and Theresa May during the negotiations over Brexit.

During the negotiations held by Collins, half of the Irish ministers walked out, including the future president Eamonn De Valera, who called the treaty a "disgrace". Collins went on to narrowly pass his treaty in the Dáil by 62 votes to 57, but it divided the country to the point where it led to a civil

¹⁴ <https://www.rte.ie/news/2018/1126/1013318-may-brexit-uk-parliament/>

¹⁵ <https://www.irishtimes.com/news/politics/sinn-f%C3%A9in-will-not-take-westminster-seats-to-save-brexit-deal-1.3701561>

¹⁶ <https://www.theguardian.com/politics/2018/nov/24/dup-deviates-when-it-suits-in-its-hatred-of-different-regulations>

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war. Theresa May faces the risk of a similar situation, trying to sell an agreement that has split the government, led to resignations and revolves on the Irish border. However, there is light at the end of the tunnel for the result, should the deal be accepted, and May succeed in maintaining strong trade with the EU whilst keeping a soft border in Ireland. It would be a big achievement for international negotiations, keeping Northern Irish peace and serve as an example for future agreements.

Challenges in the weeks ahead

Prime Minister May says she hopes to bring the deal before Parliament for a vote before Christmas time. But she has a historic job ahead, to convince the ministers and the people of Britain that this is the right deal for them. The opposition Labour Party led by [Jeremy Corbyn](#)¹⁷ has for weeks criticized May on her actions. Now the withdrawal agreement has given them a fixed target that they have enjoyed tearing into as well as to appear stronger. However, the MPs from opposition camp have brought nothing forward on their own part. No facts or statistics, just emotional opinions. It is easy to criticize something but to build an agreement from scratch takes time. The EU leaders have already dismissed talk of renegotiating the treaty, and they stated clearly that this is the only deal.

Moreover, members of Theresa May's Conservative Party have filed for a motion of "no confidence" in her leadership. So far, the motion has not seemed to garner enough [support](#)¹⁸ and it is presumed that the Prime Minister would survive this challenge and emerge stronger from it. It is worth remembering that if May would be forced to quit the Conservative Party's leadership, there won't be a snap election as she will be ousted by her party and not the Parliament.

Conclusion

Theresa May is facing a formidable problem in getting the House of Commons to accept the Brexit deal. She is bound to lose some Conservative MPs and probably the Democratic Unionist Party as well. If the Labour Party MPs stick to the party's official line, then the deal will be defeated. That's why she is currently touring the UK trying to convince the public that the agreement is the way forward for Britain.

We are thus left with 4 possible scenarios:

- a) The withdrawal agreement ultimately winning approval (Her Deal)
- b) Britain leaving the EU with no agreement and possibly witnessing May's resignation (No Deal)
- c) We see a new general election and possibly a second referendum (No Brexit)
- d) May receives a vote of no confidence in her leadership. This will leave everything up in the air

It is yet to be seen which of these scenarios would seal the fate of the Brexit.

¹⁷ <https://twitter.com/jeremycorbyn/status/1062843464465952770>

¹⁸ <https://www.irishtimes.com/news/world/uk/may-says-leadership-challenge-has-not-gained-enough-support-1.3701894>

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