

EU threat to close the Irish border gives fuel to those who want to see the Brexit deal scrapped altogether

Northern Irish unionists and Tory Brexiteers have long wanted to see the deal rewritten because it puts a customs border in the Irish Sea.



Arlene Foster wants the Northern Ireland protocol to be scrapped (Photo: Reuters)

The EU's threat to override the Brexit deal, just one month after the agreement came into force, has united fierce rivals in codemnation of the swiftly reversed gambit.

Among those criticising the decision to trigger "article 16", the emergency brake contained within the Northern Ireland protocol, were the UK Government, the Irish Government, Labour, the Liberal Democrats, the Democratic Unionist Party, Sinn Fein, Tony Blair, Nigel Farage, the Archbishop of Canterbury and Michel

Barnier - the man who negotiated the Withdrawal Agreement on behalf of the EU.

The provision was only in play for a few hours on Friday, with European Commission chief Ursula von der Leyen withdrawing the suggestion that the EU would block the flow of vaccines into Northern Ireland following a fierce backlash.

But already it raises questions about how sustainable the protocol, a key but controversial part of the Brexit deal, will prove in the long run - not least given the fierce opposition to it from Conservative Brexiteers and most Northern Irish unionists. They loathe the protocol because it imposes checks on goods going between Northern Ireland and Great Britain, in order to keep the border with the Republic of Ireland fully open.

‘Genie is out’

Jeffrey Donaldson, the DUP’s leader at Westminster, said: “I’m afraid the genie is out of the bottle and that genie is that the EU clearly sees the Northern Ireland protocol as a stick to beat the UK with... That is why we have said to the Prime Minister this protocol is harming the integrity of the UK single market.”



European Commission President Ursula Von Der Leyen puts on her face mask
(Photo: Johanna Geron/AP)

Mark Francois, chair of the hardline European Research Group, wrote in *The Sunday Telegraph* that the row presented an “opportunity”, adding: “We should announce a complete review of the NI protocol, to iron out operational problems and, if necessary, even consider replacing it entirely.”

Until now, it has been the UK Government that has proven most willing to play fast and loose with the provisions of the protocol, most notably with its threat to break international law by singlehandedly changing the way it is interpreted via the Internal Market Bill. On 13 January, Boris Johnson told MPs that “we will have no hesitation in invoking article 16” if the EU is accused of disrupting food supplies to Northern Ireland.

Not informed

The operation of the Withdrawal Agreement is overseen by a joint committee chaired by Michael Gove and his European opposite number, Maros Sefcovic. The pair get on well together, and it was they who managed to hammer out a deal to scrap the contentious clauses of the Internal Market Bill. Neither man was informed in advance of the Commission’s gambit this week.

Even if Brussels’ decision to trigger the clause turns out to have been a simple technical error made by stressed officials, the EU has now made it clear that protocol can be undermined with a simple press release, and given fuel to those who want it gone for good. Enemies of the Brexit deal are newly emboldened in their campaign.

Source:

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