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"The importance of connective tissue"

"Governance and scrutiny mechanism of the TCA from the EP, Ireland and Northern Ireland viewpoint"

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Let me start with some comments on general aspects of the current EU - UK relationship which point to the seriousness and relevance of political and civic oversight of the process.

We have already had a chance to feel the cold of this sad divorce.

UK has left voluntarily a big preferential trade and economic area, which happens as well to be a powerful global standards setter, announcing the intention to diverge when it comes to European law.

It has become separate legal, regulatory, economic, political space, separate market, UK has left European policies, including Erasmus, and EU's international agreements. I have the sensation sometimes that the British government does not admit that this is a new reality, that they concluded fully fledged international agreements with EU, first on Withdrawal and then on the future trade and cooperation.

The agreement on the future relation is a bespoke one and of course dramatically different from any existing FTAs. Normally, FTAs aim at liberalizing trade relations, here we are doing the opposite, scale them down. Of course today EU remains main UK trade partner. What will the future bring?

We have the right to celebrate zero tariff and zero quota deal which is better than WTO tariffs amounting to 50% in case of processed food, 25% for processed fish or 10% for cars. But trade is much more than tariffs and quotas. And here comes the main problem which is that goods moving between UK and EU will be subject to checks, controls, VAT formalities because UK is not any more within the EU VAT system, health certificates, export declarations, SPS, labelling, standards for goods,

permits, licenses, ROO. While aiming at getting rid of the EU bureaucracy the British government through its choice of red lines has thrown at British businesses and consumers enormous amount of border bureaucracy. What can be done now in addition to convincing the EU to accept all sorts of grace periods, full use of flexibilities existing in the Protocol, extending grace period ? First of all, all commitments to deliver the necessary border infrastructure must be taken seriously by the British side. This is a precondition for any further move on other facilitations. This includes the British commitment to allow the EU access to data without which border inspectors cannot be efficient in their work. One can say in this context that the choice of the legal basis for the Trade and Cooperation Agreement (TCA) which is article 217 TEU will allow in the future to have supplementary agreements, theoretically with this article entire treaty area can be covered. This is also true for the governance and dispute settlement system which is basically coping the one from association agreements.

In the discussion of the issues of the Protocol on Ireland and Northern Ireland, we tend to skip the moment that there are two treaties, WA with protocols and TCA. And Withdrawal Agreement is an independent, stand-alone deal with its own governance system, still lack of a solution can take the issue to the TCA structures.

Governance system and dispute settlement of the Withdrawal Agreement have been tested over the last weeks. There are clear lessons we must draw from the events. We need a hot line communication system and first of all a lot of political will, commitment to sincere cooperation, no blame game temptations. There is no doubt about commitment to GFA on both sides. But Protocol will be a sensitive issue easily to become a political prey in the domestic context. Trust will be fundamental. And there must be no doubt that WA and TCA are solutions to problems and not problems. But taking into account the complexity of new situation and its political fragility we must assume that frictions, tensions, even disputes will accompany the process. In addition to highly efficient executive actions there is no doubt that parliamentary and civic oversight will be essential. There are common bodies, parliamentary and civic society representatives but a lot will depend as well on internal procedures of both parties. The European Parliament is of a strong opinion that the current system is not meeting its requirements for parliamentary engagement in the process.

There are many proposals on the table, there has been a letter with long list of expectations sent to the Commission and we are not satisfied with the response.

Some of you might remember the engagement with civil society organizations we had during the WA negotiations and we will continue to do it, especially with regard to citizens' rights and the Irish border issues.

What is in the TCA envisaged as parliamentary and civic oversight should be very quickly implemented. There is the Interparliamentary Assembly and there is the Civil Society Forum. They may be

created and it is up to us to do it. So, let us not waste time. There are advisory groups that can cooperate across the border.

All these bodies can have both direct and indirect impact on the process. What is important and matters strongly is ensuring that a connective tissue is developed on the EU side as Barry Andrews, Chris MacManus and other Irish friends tell us. We have to spare no effort to ensure that the EU institutions are sensitized to local circumstances and avoid any risks to GFA.

We have to have an eye on the situation of EU citizens there and British nationals here.

And we have to bear in mind that in four years there will be first consent vote by the Northern Ireland Assembly regarding the continuation of the protocol. Nothing can be taken for granted. Unprecedented framework and cooperative approach will not just emerge, it has a chance only if it is men and women made.