



# HOUSE OF LORDS

## **Meeting between Lord Boswell of Aynho and Queen's University Belfast academics, 26 November 2015.**

On 26 November 2015, Lord Boswell met with a group of academic experts on EU affairs at Queen's University Belfast. He asked them to reflect on the debate about the future of the UK in the EU, in particular in the Northern Ireland political context.

Dr Lee McGowan said that there had been a lack of any substantive debate on the EU in Northern Ireland. It had been frustrating watching developments on the issue of Brexit emerge in other parts of the UK and waiting for similar developments within the Northern Ireland Assembly, within the political parties and amongst the regional media in Northern Ireland.

Professor David Phinnemore said that Arlene Foster's speech at this morning's Queen University Belfast seminar was given as if the UK Government knew what the Northern Ireland Executive's position was. But the position of the Executive was not known. There had been no engagement of the Executive or the parties in the process. They had missed the opportunity to feed into the Prime Minister's letter to President Tusk.

Dr Cathal McCall said that the debate in the political classes about Brexit had yet to begin because the focus had been on stabilising and reforming the power-sharing institutions. This had been traumatic. Charles Flanagan's speech had given an impression of the intensiveness of negotiations. There had been over 100 meetings and an arduous process over eight weeks. The Brexit debate had therefore not begun at the political level. The debate had begun amongst academics and the Irish Government was seeking to foster a debate.

Professor Phinnemore said that early discussions with some London-based officials revealed an ignorance of issues concerning the land border.

Dr McCall said that there was a very soft border at the moment, as shown by the way that police forces answered calls across the border. There was a high degree of cooperation between the two police forces. The softness of the border was mutually accepted because it was one of the key pillars of the peace process. It had not raised as much controversy as many had expected, and in fact the soft border had become part of the political legacy of the peace process settlement. This required north/south cooperation, including at governmental level.

Lord Boswell asked about the extent of cooperation between devolved and regional assemblies, both within the UK and across the EU.

Professor Phinnemore said that that there was no great level of cooperation. The devolved institutions had shown some interest in debates about the European Convention in 2002-3 and the role of regional assemblies in relation to subsidiarity. However this had been the high point.

Dr McCall said that the British-Irish Council would be an ideal mechanism for cooperation between the devolved assemblies in the UK but this had not happened.

Professor Phinnemore said that the Northern Ireland Assembly Committee for the Office of the First Minister and deputy First Minister had not followed the model of inquiries into the implications of Brexit pursued by equivalent Committees in the Scottish Parliament and the Welsh Assembly.

Dr Katy Hayward said that one reason for the difference was because ethno-national identities were much more important in Northern Ireland. Brexit was a sensitive issue as it brought back the border as a 'live' political issue. Attitudinal survey results to date indicated the likelihood of a split in opinion along community lines. She added that Unionists were not yet willing to confront the issue of the possible impact on the UK of Brexit, in the event of an ensuing second referendum on Scottish independence.

Professor Phinnemore said that most DUP members were instinctively Eurosceptic but their key concern was the maintenance of the union of the UK. The possibility of Scotland leaving the UK as a consequence of a UK decision to leave the EU would might prompt a re-think about how to vote in the EU referendum.

Dr McGowan said that there was a broad sweep of opinion within the UUP on the EU issue. The leader of the UUP, Mike Nesbitt MLA, may be minded towards a degree of euroscepticism but he was willing to hear the arguments about the benefits of EU membership. The DUP's core voters in the greater Belfast area and particularly those from blue collar backgrounds as well as some of the unemployed often perceived the EU as somehow posing a threat to their lives and traditions. The TUV remained very much Eurosceptic in tone and the arrival of UKIP was now providing extra electoral competition for the Unionist parties in a handful of constituencies.

Professor Phinnemore said that the DUP's interest was in party coherence. There were some voices expressing pragmatic concerns, for instance on the implications of Brexit for farming or trade.

Dr Hayward said that there was a danger that the question of EU membership would morph into a sectarian issue. The SDLP and Sinn Féin parties and supporters were broadly supportive of the EU.

Professor Phinnemore referred to polling which indicated that 91.21% of nationalist voters would vote to remain in the EU.

Dr Hayward said that the pressure was on Unionist parties seeking to defend the unity of the UK because of the cogency of arguments about ensuring the sovereignty of the UK through a Brexit. Whilst in principle very concerned about defending UK sovereignty, divergence between regions in the EU debate and referendum results may risk the UK fragmentation they fear most.

Lord Boswell asked about the extent to which there was a debate in Northern Ireland about migration.

Dr Hayward said that the pattern of net emigration from Northern Ireland had been temporarily reversed, but not in large numbers. The debates about EU membership and immigration had not yet been linked to any great degree in Northern Ireland.

Dr McCall said that there had not been a debate at the political level. Migration was spoken about by Loyalist paramilitary groups. Some rural areas were affected, but often in a positive way. There were communities from Poland, Lithuania and Portugal, and even East Timor.

Lord Boswell asked about the implications for the sectarian divide.

Dr McCall said that towns tended to see an east/west sectarian divide. The vast majority of migrants moved to Catholic areas in the west of towns. This placed a greater pressure on Catholic schools where large numbers of migrant children were placed. Some such schools had responded superbly.

Lord Boswell asked whether the Danish and Irish protocols offered useful precedents in terms of ensuring that any renegotiation deal was legally binding.

Professor Phinnemore said that these were useful precedents and it would be foolish not to look at them. The Council and Commission were looking at them. The Edinburgh Agreement mechanism had addressed Danish issues. Irish concerns had been met through the commitment to a protocol and there had been no backlash as a consequence of the delays in getting the Protocol ratified and attached to the treaties. There was recognition in the context of the UK debate that the TEU and TFEU could be amended but not immediately.

Lord Boswell asked to what extent there were concerns about the impact on the European Convention on Human Rights.

Professor Phinnemore said that there were some concerns circulating about what might happen to the Good Friday Agreement in the event of a UK withdrawal from the EU. The Agreement assumed Irish and UK membership of the EU. However the issue had not really featured in the debate as yet.

Dr Hayward said that it had been raised in the south. Human Rights was an important part of the Good Friday Agreement and progress had been made regarding discrimination as a result of its inclusion in the Agreement.

Lord Boswell asked if the issue of discrimination had arisen in relation to the rights of migrants from elsewhere in the EU.

Professor Phinnemore said that the issue had been raised in a recent public debate in Newry regarding the rights of cross-border workers.

Dr McCall said that there had been an increase in the free movement of workers. Community groups were engaged in protecting their rights.

Lord Boswell asked about the nature of media coverage of these issues in Northern Ireland.

Dr McGowan said that there was a considerable media presence at this morning's seminar but this was rather unusual. A number of public events on the topic of the EU that had taken place over the past two or three years had been noticeable for the lack of media presence. However, the situation appeared to be changing and media coverage was beginning to increase as the referendum moved ever closer. The School had been fielding more media enquiries

about the EU and there was a sense that the theme would emerge as a more pressing theme in 2016.

Dr McCall said that there was interest at this morning's event from local media as well as the Irish Times and RTE.

Dr McGowan said that it had been difficult to attract the interest of regional media in Northern Ireland. In the past the media had not been willing to devote considerable coverage to the EU and often cited the disinterest of their listeners/ readers in the issue as a justification for their position.

Lord Boswell asked if the social partners were engaged in the debate.

Dr McCall said that little had been heard from them.

Professor Phinnemore said that the Ulster Farming Union had been active. Business had been more active, including the CBI's office in Northern Ireland. The US Consulate was also looking at this issue.

Dr McGowan said that the FSB and Institute of Directors had also been active.

Professor Phinnemore said that the majority of FSB members had indicated a preference for remaining in the EU.

Dr McGowan referred to a recent poll in the *Belfast Telegraph*, which stated that 56.48% of voters wished to remain in the EU. Amongst Unionist voters, 21.46% wished to remain in, 54.34% wished to leave, and 24.2% were undecided.

Lord Boswell asked what would be the impact of the Prime Minister endorsing a 'remain' vote in the event of a successful renegotiation.

Professor Phinnemore said that this could have a positive effect for the UUP. Arlene Foster had said that if there was an acceptable deal, the DUP could be persuaded. However he doubted that leader endorsement would necessarily have a huge effect.

Dr McCall said that it depended on what the Prime Minister decided.

Dr Hayward pointed out that there was a higher proportion of 'don't knows' amongst Unionist voters.

Dr McGowan said that Sinn Féin would arguably see a second Scottish independence referendum as an opportunity to promote Irish unity, because they could use it to justify holding a border poll.

Dr McCall added that the Secretary of State for Northern Ireland had to be of the opinion that there was a majority in favour of a united Ireland to give consent for a border poll.

Dr Hayward said that the debate about the risk of a hard border being reimposed could have an impact.

Lord Boswell asked to what extent the debate over 'Ever closer union' had resonance in Northern Ireland.

Professor Phinnemore said there was some discussion in unionist circles about national sovereignty, but no safeguards would provide sufficient reassurance. There were concerns about a supposedly overweening Brussels bureaucracy getting its way.

Dr McCall stressed the importance of symbolism in Northern Ireland. It could be helpful to some for the EU to give up the symbolism of 'Ever closer union'.

Lord Boswell asked if eurozone/non-eurozone issues had resonance in Northern Ireland, in particular given that there were two currencies in use in the island of Ireland.

Professor Phinnemore said that the issue had not arisen in debate at all. He had not heard policymakers express concern about the need to take into account the circumstances of two currencies in circulation on the island of Ireland.

Dr McCall said that this was an important issue for border areas which were used to dealing with two currencies. Cash machines gave out money in both currencies.

Dr Hayward said that issues concerning phone charges were a concern.

Lord Boswell asked about engagement of young people in the debate.

Dr Hayward said that many young people knew little about the EU and the issue was not addressed in any depth in schools.

Professor Phinnemore referred to a recent seminar where first year university students were unfamiliar with the meaning of European integration.

Dr McGowan said that many community groups were reliant on EU funding.

Professor Phinnemore said that there was now some talk of a July referendum, but stressed that the UK Government would, from the perspective of the vote in Northern Ireland, be wise to avoid Thursday 14 July. He said that the whole renegotiation process may have been driven by a London agenda but the issues affecting voting in the referendum would be local. Issues relevant in Northern Ireland did not resonate in the London debate. The machinery for taking such concerns into account was not ideal and the capacity to formulate and communicate these concerns to London was not very good. The Joint Ministerial Council's discussions were not made public. Northern Ireland Ministers did not have a brief because the political parties did not want to deal with the issues. There was a need for all stakeholders to engage more effectively with the debate.

Lord Boswell thanked attendees for their time and closed the meeting.