

100 Years On: Something Old, Something New...Weeks 12-18 of implementing the Protocol on Ireland/Northern Ireland

This blog by Milena Komarova, Katy Hayward and Ben Rosher, is the third of a series that will be published every 6 weeks as part of a 'temperature gauge' of Brexit and the Protocol on Ireland/Northern Ireland, with a particular focus on its impact on borders and cross-border cooperation. The research behind it is funded by the Reconciliation Fund of the Department of Foreign Affairs, as part of the Border Catalyst project, led by the [Irish Central Border Area Network](#).

In what was the most unsettled (and unsettling) six weeks since 'Brexit proper' began, political and popular moods oscillated, events cavalcaded, and violence sporadically erupted on the streets of Northern Ireland.

Unease and unrest in loyalist and unionist communities

Simmering tensions and [frustration among loyalist communities came to a head](#) from the beginning of April. There were unauthorised loyalist parades in Portadown, Ballymena, Markethill and Moygashel, some of which resulted in [confrontation](#) with the police. And there were disturbances in Derry/Londonderry, Newtownabbey, Carrickfergus, and [Belfast](#), some of which came on the back of protests against the Protocol. Many of those participating (and arrested) were children. The violence [spread, and intensified](#) as loyalist youths [assaulted a press photographer](#) and petrol-bombed a bus in West Belfast. Police were assaulted with bottles, bricks, fireworks, and petrol bombs. By the end of the week more than [88 officers](#) had been injured. There was a concern that the violence could become inter-community when attention focused on an interface in West Belfast. Youth workers and community leaders intervened to [calm](#) the situation.

[The Executive issued a joint statement](#) that condemned the violence, called for calm, and stated support for law, order and policing (although the leaders of the main unionist parties had called for the Chief Constable's resignation over a different matter not a fortnight before). Similar statements were issued by the [Prime Minister, the NI Secretary of State](#) and, jointly, [the PM and the Irish Taoiseach](#). Later, it was announced that [the first meeting of the British-Irish Intergovernmental Conference in two years](#) will take place in June, to discuss a range of issues 'of mutual interest'. The commentary on the violence discussed its complex causes as connected to, but going far beyond Brexit and the Protocol.

Growing unionist unease came in the context of the centenary of Northern Ireland and partition. In [a survey commissioned by BBC NI's Spotlight Programme](#), most respondents from NI stated that in a border poll today they would vote to remain in the UK, while a majority from the Republic of Ireland – that they would vote for a United Ireland, with a great many undecided. On the Programme the [PM stated there will be no border poll for 'a very, very long time to come'](#) and described present Irish Sea border checks as 'ludicrous', while admitting he knew there would be checks.

No doubt reflecting the sense of unrest in unionism, the end of April was dominated by news of the imminent departure of Arlene Foster as DUP leader and First Minister. Following reports of [a letter of No Confidence](#) signed by the vast majority of the party's MLAs, MPs, and Peers, [Mrs Foster released a statement announcing her decision to step down](#) as party leader at the end of May, and as First Minister at the end of June, adding later she will also be leaving the DUP. On May 14th the DUP elected Edwin Poots as party leader. Mr Poots, who had previously [pledged to continue the firm stance against the Protocol](#), having already [threatened it with legal action](#), outlined [his vision for the removal of the Protocol](#) through maximising the unionist vote at the next Assembly elections and boycotting any aspect of the Protocol's implementation.

Polling, politics and (border control) posts

The first [opinion poll](#) on the Protocol in Northern Ireland took place at the end of March (LucidTalk/Queen's University). The survey found that whilst most agreed that special arrangements were needed for NI after Brexit, opinion was almost evenly split over the appropriateness of the Protocol itself. The poll found that there were concerns across the board about the impact of Brexit and the Protocol, particularly in terms of political instability. Such fears were exacerbated by the public's lack of trust in those charged with managing the Protocol – with the notable exception of business representatives.

Meanwhile, in the sphere of politics with a capital P, the consequences of Brexit and the Protocol for Northern Ireland continued to play out. The House of Commons' European Scrutiny Committee warned that the [EU's planned changes to the regulation of medicines will lead to 'challenging divergence'](#) between NI and GB. Concerns with there being [a 'high risk' of potential disruption to the supply of medication](#) were also raised with the Stormont Health Committee.

As the [UK delivered its roadmap on the Protocol](#) (which was [leaked](#) to the BBC in mid-May), the [EU postponed its legal action against](#) it for unilaterally altering the terms of the Protocol. In the middle of April, Brexit Minister Lord Frost [met](#) with his EU counterpart, Commission Vice President Maroš Šefčovič in Brussels. Commentators [suggested](#) there was 'a new mood in the air, and cautious optimism' as both sides were embarking on a 'highly technical process to allow the Protocol to work'. In wider UK-EU relations, a step forward was made when [the European Parliament ratified the Trade and Cooperation Agreement \(TCA\)](#). Following the ratification vote, [the Council 'adopted a decision on conclusion'](#) i.e. the final step in the ratification of the TCA and the Security of Information Agreement. Both Agreements entered into force on the 1st of May 2021.

Closer to home, DUP Agriculture Minister Edwin [Poots stood by his decision to halt the recruitment of port inspectors](#) and the Stormont Assembly was told that ['permanent facilities for post-Brexit checks at Northern Ireland's ports will not be operating before 2023'](#). However, the UK Agriculture Minister told Minister Poots that he was to make progress on implementing the border control posts ['without delay'](#). George Eustice reminded Mr. Poots that he was obliged to provide 'the necessary facilities for the conduct of checks' and 'sufficient appropriately qualified personnel for these purposes'.

Trade: Cautious optimism and persistent struggles

In early April it was reported that [‘GB firms still aren’t fully up to speed with the new processes to send goods to Northern Ireland’](#) and that the process involves an additional four-hour turnaround time per lorry and between £50-£350 administrative cost per pallet. The Central Statistics Office (CSO) found that [north-south cross border trade has increased](#) dramatically since the start of the year, with exports to the Republic up 52% and trade the other way increasing by 28%. [Dublin port reported a 15% fall in the volume of trade in the first 3 months of 2021](#), attributing this in part to a decline of 29% in freight from British ports.

A [Manufacturing NI survey of 190 companies found](#) three quarters had experienced a negative impact on their business since the Brexit transition period ended, with a growing number (39%) saying they are on top of issues. A fifth of those surveyed still faced unwillingness by suppliers to engage with the new requirements and a further third were struggling with issues that they thought were likely to persist. [A Customer Advice Group reported](#) that 42% of people who had ordered products from the EU online since January have had delays or additional charges and experienced an increase in scam texts.

In the third week of April [new EU regulations on ‘composite foods’](#), including chilled and frozen pizzas, and ready meals, came into effect. It was later reported that [the EU was willing to ease application of its rules](#) on some aspects of movement (e.g. guide dogs, plant declarations, and animal tags) in order to mitigate checks between GB-NI as far as practicable, and was [proposing that the UK temporarily aligns to EU SPS rules](#) to entirely remove checks for the duration of negotiating trade deals with third countries. It also emerged that, under the Protocol, [Northern Ireland firms applying for government-backed covid recovery loans will be bound by stricter EU subsidy rules](#).

At the beginning of May, DAERA published a [report that found the Protocol creates a ‘positive situation’ for Northern Ireland’s seafood sector](#) and gives regional exporters a ‘comparative advantage over their GB competitors’. Invest NI were said to have [spent £400,000 to promote the region’s trading position](#) under the Protocol.

The border region: Brexit-fallout and north/south

Harbour development groups in Donegal have actively sought urgent action to help stave off the negative effects of Brexit. The [Killybegs Harbour Development Group](#) and [Greencastle Harbour User’s group](#) have commissioned reports that stress the adverse effects of Brexit on fishing communities, offer local area visions, and seek representation to the Irish government. Minister for Agriculture, Food and the Marine, Charlie McConalogue TD [invited fishing and coastal workers in Donegal to a virtual townhall](#) on the 14th May.

The impact in other sectors and parts of the border region has been equally negative, exacerbated by the Covid-19 conditions. A report highlighted that [Fermanagh hauliers have seen incomes fall by up to 30%](#) since Brexit. This quarter's [Letterkenny Chamber of Commerce Business Sentiment Survey found](#) that 30% of businesses have seen their turnover reduced by 50 - 74% since last October, while up to one-third of businesses are still closed. In some positive north-south business news, Letterkenny-based [manufacturing firm Houston Precision Engineering is expanding into Strabane](#) after Invest NI had offered the company £410,000 of support towards 41 jobs.

There was mixed news in respect of another important aspect of cross-border movement. Concerns were raised that [people in Northern Ireland are missing out on cross-border healthcare](#) since the Cross-Border Directive (CBD) ended at the end of 2020. A replacement scheme has been set up by the Irish government covering healthcare-related travel north by citizens in the south. The Stormont Health Department has highlighted [interest in the continuance of a similar scheme](#) but warned it would take time to negotiate and operationalise, and would bring additional costs.

Cross-border initiative was also evident in the north-west. Sinn Féin Midlands Northwest MEP Chris MacManus has called on the Irish government's [plan for the EU Recovery Fund to focus on the Northwest region](#). Charity and community groups in Donegal were [invited to partner with similar groups in NI](#) with the support of a new all-island fund from the Community Foundation for Ireland, providing grants of up to €20,000 to respond to the impacts of Brexit. A different type of cross-border matter was picked up by a Sinn Féin Councillor. Following a motion by Councillor Conor Heaney, Derry City and Strabane District Council is to set up a [working group](#) on Irish unity 'to begin a consultation with ratepayers and community and business representatives to assess views on the issues related to constitutional change'.

Speaking to his motion, Councillor Heaney quoted Lenin: 'there are decades where nothing happens and then there are weeks where decades happen'. As we conclude this, the third of a series of Protocol 'temperature gauge' blogs every six weeks, we can admit that, on this matter, Lenin might have had a point.