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PROTECTING THE GOOD FRIDAY AGREEMENT FROM BREXIT

HEARING

BEFORE THE

SUBCOMMITTEE ON EUROPE, EURASIA, ENERGY, AND THE ENVIRONMENT

OF THE

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CONTENTS

Page

WITNESSES

Sloat, Dr. Amanda, Robert Bosch Senior Fellow, Center on the United States and Europe, The Brookings Institution 8
Farrell, Dr. Henry, Associate Professor of Political Science and International Affairs, Elliott School of International Affairs, The George Washington University 18

APPENDIX

Hearing Notice 37
Hearing Minutes 38
Hearing Attendance 39

ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD

Additional materials submitted for the record from Reprrsentative Cicilline 40

PROTECTING THE GOOD FRIDAY AGREEMENT FROM BREXIT

Tuesday, October 22, 2019

House of Representatives

Subcommittee on Europe, Eurasia,

Energy, and the Environment

Committee on Foreign Affairs

Washington, DC

The subcommittee met, pursuant to notice, at 2 p.m., in room 2172 Rayburn House Office Building, Hon. William Keating (chairman of the subcommittee) presiding.

Mr. KEATING. I call the meeting to order.

I thank our witnesses for being here.

A brief announcement that I have been asked to convey for anyone that might be in the room, that might not know otherwise, the Foreign Affairs Asia Subcommittee hearing, Human Rights in South Asia: Views from the State Department and the Region, that hearing is occurring in 2318 Rayburn.

The subcommittee is meeting today to hear testimony on how we can protect the Good Friday Agreement and uphold the peace and stability in Northern Ireland.

Without objection, all members may have 5 days to submit statements, questions, extraneous materials for the record, subject to the length limitation in the rules.

I will now make a brief opening statement and then turn it over to the ranking member for his opening statement.

The focus of our hearing today is how we can help maintain peace and stability in Northern Ireland in the face of the United Kingdom's potentially imminent exit from the European Union. Brexit has been a long and challenging process full of difficult negotiations, and fair to say a lot of twists and turns. Even as we sit here, a new proposal to address the issue of Northern Ireland is under consideration by U.K. Parliament.

For many of us, Northern Ireland is a deeply personal issue. My generation grew up bearing witness to the Troubles during which 3,500 people approximately lost their lives. We mourn their loss. We celebrated alongside our compatriots when the Good Friday Agreement was reached in 1998. Now, 21 years later, the Good Friday Agreement remains invaluable to peace and stability on the island of Ireland.

Special Envoy to Northern Ireland, George Mitchell, played a crucial role as chairman of the peace talks, and the United States is still viewed as a neutral broker in maintaining good relations between the United Kingdom and Ireland.

I would say every time I speak to some of my peers in Ireland they will remind me time and time again that there would have been no peace if it had not been for the U.S. intervention.

I would like to recognize Chairman Neal of Massachusetts, and Representative King of New York, who served as co-chairs of the Friends of Ireland Caucus and have long committed to ensuring the success of the Good Friday Agreement.

It is not to say the situation is perfect today, as Northern Ireland continues to deal with the past and the legacies of the Troubles. Most Protestants and Catholics in Northern Ireland, they largely coexist, still live separate from one another. Northern Ireland still struggles with governance and economic inequality.

Pockets of parliamentary activity still exist. Just a few months ago, journalist Lyra McKee was shot by a new IRA dissident Republican group, yet due in large part to the Good Friday Agreement, these challenges are neither pervasive or insurmountable.

Today Brexit is poised to threaten those 21 years of relative calm. Good Friday Agreement achieved the demilitarization of Northern Ireland with the removal of the security installations at the border, and the conflicts and violence that often accompanied them are gone as well.

After Brexit, Northern Ireland will be the only part of the U.K. that shares a land border with the EU, and many fear those border controls could once again result in a new reality. The return to a hard border would not only symbolize a divided Ireland, it would create enormous problems for the people of Northern Ireland and Ireland who, for the last two decades, have been able to work, trade, and move freely across the border, a reality that has been fundamental to a lasting piece.

It is no surprise that Northern Ireland remains a main sticking point in the negotiations between U.K. and the EU This is not an issue that should be taken lightly, nor should Brexit be permitted to threaten the decades of gains made under the Good Friday Agreement.

I stand with Speaker Pelosi and other Members of Congress, including Chairman Neal, in pledging not to engage in bilateral U.S./U.K. trade deals, should Brexit undermine the Good Friday Agreement, including the seamless border between the Irish Republic and Northern Ireland.

I am pleased to join Representatives Suozzi and King in co-sponsoring House Resolution 585, reaffirming the support of the Good Friday Agreement and other agreements geared at a lasting peace in Northern Ireland.

As we know, the possibility of a Brexit deal is changing from moment to moment. That is one of the things that concerned us with this. We had to check in before the hearing started, just to be sure. And we are pleased that the U.K. and EU have attempted to make progress toward a deal. And I commend the commitment to honoring the Good Friday Agreement, particularly one that does not impose a hard border between Northern Ireland and the Republic of Ireland.

We know that there are many details that still have to be addressed, and we know that everyone is not entirely happy with the potential deal. But we appreciate the commitment by the EU and

U.K. government to peace for Northern Ireland and for the Good Friday Agreement.

Regardless of what happens with this deal, or any other developments that may transpire before October 31st, Brexit will not be an easy transition. It is still a long road ahead for the EU, the United Kingdom, and the Island of Ireland as they deal with the reality of a post-Brexit world. And I hope there is shared commitment to the Good Friday Agreement and peace in Northern Ireland will remain as the highest priority.

I would like to thank the witnesses for joining us today. I hope your testimony today will help us better understand Brexit's consequences for Northern Island and the Good Friday Agreement, and especially the deal that is being currently discussed.

As Members of Congress, we must continue to work toward lasting peace, stability, and prosperity in Northern Ireland.

Thank you, and I now turn it over to the ranking member for his opening remarks.

Mr. KINZINGER. Thank you, Mr. Chairman, and thank you all for being here today. I very much appreciate it.

On June 23, 2016, the United Kingdom voted to leave the EU by a narrow margin of 52 to 48. This historic moment resulted in endless hours of debates, two prime ministers' resignations, snap elections, and a suspended Parliament that makes us look like we have got it together here, so thank you.

Now, after numerous failed attempts to pass withdrawal agreements through the House of Commons, we may finally be nearing the Brexit that millions of U.K. citizens voted for over 3 years ago. However, there is a lot of concerns.

Many still worry about the possible unintended consequences of Brexit on the Good Friday Agreement, which ended the war in Ireland and brought peace to the island.

During the 30 years known as the Troubles, roughly 3,600 men, women, and children were killed in Northern Ireland as feuding political factions terrorized one another. That is why I believe that any Brexit deal must protect the Good Friday Agreement and ensure that no hard border be constituted.

Additionally, the agreement must protect Northern Ireland's economy. We cannot let unemployment drive a resurgence of terror on the Irish island. No one in the U.K., no one in this room, wants to see the situation devolve to those darker days. Luckily, I do not think the Brexit deal struck by Prime Minister Johnson will result in that.

Last week negotiations for both the U.K. and the EU came to an agreement on a Brexit deal that would honor the Good Friday Agreement.

President Juncker of the European Commission has come out in support of this agreement, and it benefits both EU and the U.K., while lasting peace and stability on the—while ensuring peace and stability on the island. Likewise, the EU's chief negotiator stated that this deal will avoid a hard border between Northern Ireland and the Republic of Ireland, a key provision of the Good Friday Agreement, and would benefit businesses across the north.

I am thankful that the latest negotiated deal between the U.K. and the EU emphasized the importance of this agreement. What-

ever deal that is eventually voted on and enacted must avoid a return to violence of the late 20th century. Prime Minister Boris Johnson, who was unable to pass this deal through the House of Commons over the weekend, has now asked the EU for a Brexit extension.

In the meantime, the House of Commons is debating right now on whether or not to vote on the Prime Minister's withdrawal agreement bill. If this is passed, they will have 3 days to consider this legislation.

While passage of Brexit is not guaranteed at this point, one thing I warn all of my colleagues to avoid is vowing to block any potential U.S./U.K. bilateral trade deal. Not only is this dangerous message sent to the millions of British citizens who voted in favor of leave, but this mentality could also have unintended consequences on our own economy.

Trade is good. Trade with one of our oldest allies is even better. A bilateral deal with the U.K., should they eventually leave the EU, would benefit both economies and our constituents.

I look forward to hearing from both of you today, and with that I will yield back to the chairman.

Mr. KEATING. Well, thank you. And consistent with my opening statement, I will note that the U.K. Parliament has just started voting on the second reading of the withdrawal agreement as we are hearing testimony right now.

Now I will call on Representative Cicilline for an opening statement.

Mr. CICILLINE. Thank you, Chairman Keating and Congressman Kinzinger, for holding this hearing today, which, as you just mentioned, could not be more timely on the subject of Brexit's impact on Northern Ireland. I appreciate especially the efforts of my good friend, the chair of our subcommittee, on the issue of Brexit's impact on the Republic of Ireland and Northern Ireland.

Over the past 3 years, I have worked with him, Chairman Richie Neal, and many other members from both sides of the aisle to reinforce to our friends in the U.K., Norther Ireland, and Ireland that any Brexit deal must preserve the Good Friday Agreement.

Along with Chairman Keating, Chairman Neal, and our friend and colleague, Congressman Kennedy, we recently published an oped in The Boston Globe on the importance of a Brexit deal that maintains the Good Friday Agreement, and I would ask unanimous consent to have that placed in the record.

Mr. KEATING. Any objection? I hear none.

Mr. CICILLINE. I was pleased to learn last week that the U.K. and the EU had reached an agreement, which is supported by the government of Ireland, that would preserve free movement of goods and people between Ireland and Northern Ireland. Unfortunately, as has so often been the case with Brexit, there appear to be some roadblocks moving this forward.

I very much look forward to the testimony today and to hearing how U.S. policymakers can continue to play a role in pushing for a resolution that will preserve this very important Good Friday Agreement.

I thank our witnesses for being here, and I yield back, Mr. Chairman.

Mr. KEATING. Well, thank you.

I will now introduce our witnesses. Dr. Amanda Sloat is a Robert Bosch Senior Fellow in the Center on the United States and Europe at The Brookings Institution. Dr. Sloat is also a fellow with the Project on Europe and the Transatlantic Relationship at the Harvard Kennedy School Belfer Center, and former Deputy Secretary of State for Europe and Eurasia.

You will notice when I say "Harvard" or "Ireland" there is a little bit of an accent there. I apologize for that, but it is hard to control.

We also have joining us Dr. Henry Farrell. He is a professor of political science and international affairs at George Washington University's Elliott School of International Affairs. He was previously a fellow at the Woodrow Wilson Center for International Scholars and assistant professor at the University of Toronto.

We appreciate you being here today. It is a busy time, and I know your schedules were very challenging. And we would like to call on you to give your opening statements; ask you to limit it to 5 minutes. Without objection, your prepared written statements will be made part of the record.

I will now go to Dr. Sloat for her statement.

STATEMENT OF AMANDA SLOAT, PH.D., ROBERT BOSCH SENIOR FELLOW, CENTER ON THE UNITED STATES AND EUROPE, THE BROOKINGS INSTITUTION

Dr. SLOAT. Chairman Keating, Ranking Member Kinzinger, distinguished members of the subcommittee, thank you for your invitation to discuss the importance——

Mr. KEATING. Is your microphone, is that—is your microphone on?

Dr. SLOAT. There we go. Chairman Keating, Ranking Member Kinzinger, distinguished members of the subcommittee, thank you for the invitation to discuss the importance of protecting the Good Friday Agreement from Brexit. As a former HFAC staffer with Chairman Lantos, it is a pleasure to be on this side of the dais.

Although Northern Ireland was rarely discussed during the 2016 Brexit referendum campaign, the challenge of addressing the region's unique status has become the biggest obstacle to finalizing the U.K.'s withdrawal from the EU, yet there have been insufficient consideration of how these contentious debates have already affected the region.

I would like to submit my testimony for the record and will limit myself to a few brief points now. The April 1998 signing of the Good Friday Agreement enabled a comprehensive approach to governance and security in Northern Ireland. It took constitutional debates off the table. The U.K. government reduced its military presence, and paramilitary groups decommissioned their weapons.

An assembly with a power-sharing executive ensured both communities were represented in decisionmaking, and the EU membership of the U.K. and Ireland made the fragile peace more viable. The agreement did not fully resolve all tensions, but the region slowly began moving in the right direction.

Unfortunately, Brexit debates have hindered this progress. Much of the debate, as all of you have noted, has focused on the economic implications of Brexit, including the need to protect the EU single

market, while at the same time preventing the establishment of customs infrastructure on the Irish border.

In my limited time, I want to highlight a few other consequences of these debates. One of the most tragic consequences of Brexit is that it has destabilized local politics by forcing people to choose sides between the British and the Irish governments. The clever compromise at the heart of the Good Friday Agreement enabled people to take a break from identity politics.

Unionists remained part of the U.K. and felt reassured the province's status could only be changed at the ballot box, while Nationalists felt Irish and had a greater say in local affairs. Brexit has brought back the old polarization, including questions about the region's constitutional future.

On governance, Northern Ireland has been without a government since January 2017, actually breaking the Guinness World Record for the longest period without a government anywhere. The power-sharing executive collapsed over a domestic political dispute, while repeated efforts to restore the government have failed.

Civil servants keep the light on, but they are reluctant to make politically sensitive decisions without ministerial oversight. The U.K. Secretary of State for Northern Ireland has nominal oversight, and Westminster has passed a budget to keep the region solvent. If there was a no-deal Brexit, civil servants in London have recommended reimposing direct rule to manage the consequences.

There have also been concerns that Brexit could adversely affect numerous rights, including equality rights enshrined in the Good Friday Agreement, fundamental rights deriving from EU membership, and labor and employment rights deriving from EU law.

The most prominent concern has been the handling of the agreements provision that allows those born in Northern Ireland to hold British passports, Irish passports, or both.

Finally, on the security front, it can be easy to forget that Northern Ireland remains a post-conflict society. Less than 7 percent of children attend integrated schools. Punishment beatings by paramilitary organizations increased 60 percent from 2013 to 2017. And there are more peace walls now than in 1998.

There is continued instability, including the death of a journalist in April as the chairman mentioned, and continued threats from dissident groups. Although people there do not expect a return to the large-scale violence we saw during the Troubles, police chiefs have warned that customs infrastructure could be attacked.

Turning to U.S. engagement, for decades there has been a bipartisan consensus in Washington about the importance of promoting and preserving the peace process in Northern Ireland. This dates back to Presidents Jimmy Carter and Ronald Reagan, who expressed support for a peaceful resolution to the conflict.

In recent years, the U.S. administration has provided envoys to help facilitate the peace process. George Mitchell helped broker the Good Friday Agreement, Richard Haass helped save the agreement by pushing the IRA on decommissioning, and Gary Hart supported talks that prevented the collapse of the institutions.

The Trump Administration has declined to fill this position, with former Secretary of State Rex Tillerson informing Senate Foreign Relations Committee Chairman Bob Corker that it was retired. Be-

yond benign neglect, the Trump Administration has actively cheered for extremists in Britain who want a no-deal exit from the EU, no matter the cost to Northern Ireland.

The President has encouraged the U.K. to abandon divorce talks with the EU, which he views as a foe, in favor of a trade deal with the U.S.

Some congressional leaders, as has been noted, have already flagged the costs of a no-deal Brexit for Northern Ireland, including the speaker and the co-chairs of the Friends of Ireland Caucus. The U.S. could accept any Brexit deal apart from no deal. In an ideal world, we would have helped facilitate dialog among the parties as we have in the past.

At this stage, interventions from the Administration that champion one side to its own advantage are seen as disruptive rather than helpful. At a minimum, we should refrain from advocating a disastrous no-deal Brexit that the British government's own contingency plans show would have a significant negative effect.

Peace should not be a partisan issue, nor should this be a zero-sum exercise in which political leaders feel compelled to back either the British government or the Irish government. As conflict rages across the globe, all sides should be united in protecting the hard-earned peace dividends of Northern Ireland.

[The prepared statement of Dr. Sloat follows:]

"Protecting the Good Friday Agreement from Brexit"

Testimony before the House Foreign Affairs Subcommittee on Europe, Eurasia, Energy, and the Environment

Amanda Sloat, Robert Bosch Senior Fellow, Brookings Institution

October 22, 2019

Chairman Keating, Ranking Member Kinzinger, distinguished members of the subcommittee, thank you for the invitation to discuss to discuss the importance of protecting the Good Friday Agreement from Brexit. Although Northern Ireland was rarely discussed during the 2016 Brexit referendum campaign, the challenge of addressing the region's unique status has become the biggest obstacle to finalizing the United Kingdom's (U.K.) withdrawal from the European Union (E.U.). Northern Ireland is now frequently cited as a complication to be addressed in the Brexit context. But there has been insufficient consideration of how these contentious debates have already adversely affected the region, as well as the potential political and economic costs in the future. Although the United States served as an honest broker in Northern Ireland for years, the Trump Administration's enthusiasm for Brexit has precluded it from playing this role now.

Good Friday Agreement

When the Republic of Ireland gained independence from the U.K. in 1921, the six northern counties comprising Northern Ireland remained part of the U.K. Its constitutional status has remained contested between the Protestant and predominantly unionist community, and the Catholic and largely nationalist community. This dispute resulted in decades of political violence and turmoil, known as the Troubles, which cost over 3600 lives.

The April 1998 signing of the Good Friday Agreement/Belfast Agreement[1] enabled a comprehensive approach to governance and security. It took constitutional debates off the table by declaring that Northern Ireland will remain part of the U.K. unless there is "the consent of a majority of the people of Northern Ireland voting in a poll." On the security side, the U.K. government reduced its military presence (including dismantling army posts and watchtowers) and paramilitary groups decommissioned their weapons. The creation of a 108-member assembly with a power-sharing executive ensured both communities were represented in decision-making. The E.U. membership of the U.K. and Ireland made this fragile peace more viable by enabling connections and removing physical, economic, and psychological barriers.

[1] https://www.gov.uk/government/publications/the-belfast-agreement

The E.U.'s single market coupled with the peace process permitted the gradual dismantling of customs posts and checkpoints along the border.

The Agreement, which marked its 20-year anniversary in April 2018, did not fully resolve past tensions. There were no peace commissions or reconciliation efforts, nor has there been a durable answer to the constitutional question. Yet Northern Ireland slowly began moving in the right direction. The new assembly focused on routine issues of governance. There was an influx of foreign investors, with Invest Northern Ireland counting nearly 900 international companies employing around 100,000 people.[2] Belfast, which was named by Lonely Planet as the best travel destination in 2018, opened a museum about the locally constructed Titanic, served as the location for "Game of Thrones" and other media productions, and attracted boutiques and hipster cafes to its city center. Relations also improved between the U.K. and Ireland, aided by the Agreement's creation of "east-west" (British-Irish) institutions that enabled cross-border coordination of policies (such as on agriculture and the environment) and "north-south" institutions on the island. Queen Elizabeth made a state visit to Ireland in May 2011, the first trip by a British head of state since Irish independence. Unfortunately, Brexit debates have negatively affected these areas of progress.

Irish border conundrum

A narrow majority of voters in the U.K. opted to leave the European Union in a June 2016 referendum. The complexities of Northern Ireland's unique status have hindered efforts to finalize the divorce. As an E.U. member, the U.K. is part of its customs union and single market. After Brexit, it will leave both – raising the status of the Irish border to a customs border with associated checks and controls. In order to prevent this outcome given its negative practical and psychological effects, E.U. leaders and then-U.K. Prime Minister Theresa May agreed on a "backstop" provision. It said that unless and until alternative mechanisms were developed, the U.K. must remain in a customs union with the E.U. and Northern Ireland must comply with single-market regulations on goods.[3] The backstop proved unpopular domestically, contributing to parliament's rejection of May's deal three times. Northern Ireland's Democratic Unionist Party (DUP), whose 10 MPs were propping up May's minority Conservative government, opposed a special status for the region. Hardline Brexiteers feared the country could remain bound indefinitely by E.U. rules and unable to negotiate free trade deals.

When Boris Johnson replaced May as prime minister last July, he vowed to revise the Brexit deal. Last week, he reached agreement with E.U. leaders to remove the backstop and replace it

[2] https://www.investni.com/invest-in-northern-ireland/track-record.html
[3] https://ec.europa.eu/commission/sites/beta-political/files/joint_report.pdf

with a revised protocol for Northern Ireland[4] that would take effect as soon as the transition period ends (currently expected on December 31, 2020). Northern Ireland will remain in the U.K.'s customs territory and Value Added Tax (VAT) area, yet it will align with the E.U.'s rules in these areas. It will also remain mostly aligned to the E.U.'s regulations for goods. Four years after the end of the transition, the Northern Ireland Assembly will vote on whether to continue these arrangements.[5] With the exception of the consent mechanism, the protocol is similar to the Northern Ireland-only backstop initially proposed by the E.U. and rejected by Theresa May.

Northern Ireland's Democratic Unionist Party (DUP) opposes the region's differential treatment, including the application of E.U. VAT rates and the introduction of a customs border in the Irish Sea, as well as the complex consent mechanism. Although the protocol is more favorable for the U.K. overall, it has raised broader concerns about the longer-term effect of these mechanisms on Northern Ireland. The former British negotiator to Northern Ireland, Jonathan Powell, was sympathetic to DUP concerns.[6] He noted the border in the Irish Sea would grow as the U.K. diverges in regulatory terms, while the introduction of simple majority voting could undermine the principle of cross-community governance. Yet Lord David Trimble – the former leader of the Ulster Unionist Party (UUP) and former First Minister of Northern Ireland who opposed the backstop – has urged the DUP to support the revised deal, which he believes is consistent with the Good Friday Agreement.[7] The DUP is not propping up Johnson's government, which is far short of a majority given several Conservative defections and the expulsion of members who voted against the government; however, the party's opposition requires Johnson to find supporters elsewhere.

At the time this testimony was submitted, it was unclear if the British parliament would ratify the revised deal. The U.K. government, as mandated by parliament, has asked the E.U. to extend the current October 31 deadline to prevent a no-deal Brexit.

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[4] https://ec.europa.eu/commission/publications/revised-protocol-ireland-and-northern-ireland-included-withdrawal-agreement_en

[5] If the vote passes by a simple majority, the mechanism would continue for another four years. If the deal has "cross-community support" (majorities from both unionist and nationalist communities), the mechanism would apply for eight more years. If the assembly votes against, the mechanism would lose force two years later; a joint U.K.-E.U. committee would then make recommendations on alternative measures.

[6] https://www.irishtimes.com/opinion/jonathan-powell-dup-justifiably-aggrieved-over-brexit-deal-1.4055358

[7] http://www.irishnews.com/news/brexit/2019/10/19/news/lord-trimble-backs-brexit-deal-as-john-major-and-tony-blair-claim-it-threatens-peace-1742949/

Consequences of Brexit

If the U.K. leaves the European Union, there will be political and economic consequences across the country. However, Northern Ireland will be uniquely affected given its shared border with an E.U. member state and history of conflict.

Economy: Brexit will create economic unique challenges for Northern Ireland. Agriculture is the most complex sector, as it comprises 35 percent of the region's exports (with nearly a quarter of exports going to Ireland versus less than 2 percent moving the other direction).[8] As it operates on an all-island basis, U.K. withdrawal from the E.U.'s single market will affect supply chains and processing as well as migrant labor. A no-deal Brexit would create significant economic risks, including the projected loss of 40,000 jobs and an estimated decline in exports to Ireland of 11 percent to 19 percent.[9]

Health: Although health is not an E.U. competence, it could be affected by decisions about the Irish border. Given high cost and limited demand, there has been a growth in all-island healthcare since the Good Friday Agreement. For example, the closure of children's heart surgery services at a Belfast hospital in 2015 led to the creation of an all-island pediatric cardiology service in Dublin. Brexit raises questions about access to specialist medical services, free movement of doctors, and mutual recognition of professional qualifications.[10]

Citizens' rights: Brexit will adversely affect numerous rights, including equality rights enshrined in the Good Friday Agreement, fundamental rights deriving from E.U. membership (e.g., E.U. Charter of Fundamental Rights), and labor and employment rights deriving from E.U. law.[11] The most prominent concern is the handling of the Agreement's provision that allows those born in Northern Ireland to hold British passports, Irish passports, or both.

Polarized attitudes: Almost 56 percent of voters in Northern Ireland preferred to remain in the E.U. The very idea of Brexit has destabilized politics by forcing people to choose sides between the British and Irish governments. The clever compromise at the heart of the Good Friday Agreement enabled people to take a break from identity politics: unionists remained part of the U.K. and felt reassured that the province's status could only be changed at the ballot box, while nationalists felt Irish and had a greater say in local affairs. Brexit has brought back the old polarization, including questions about the region's constitutional future. A September poll by Lord Ashcroft found 51 percent in favor of joining Ireland (an increase from 46 percent when

[8] https://www.chathamhouse.org/publications/twt/brexit-s-threat-northern-ireland
[9] https://www.bbc.com/news/uk-northern-ireland-48934706
[10] https://www.bma.org.uk/news/media-centre/press-releases/2017/june/patient-care-in-northern-ireland-and-the-republic-of-ireland-at-risk-following-brexit-warns-bma
[11] https://www.thebritishacademy.ac.uk/sites/default/files/TheGoodFridayAgreementBrexitandRights_0.pdf

those who don't know or wouldn't vote are excluded), with results divided along community lines.[12] More than half of those surveyed believe Brexit strengthens the case for Irish unification, with nearly two-thirds thinking it is more likely "in the foreseeable future."

Governance: Although the DUP and Sinn Féin (the largest nationalist party in Northern Ireland) were on opposite sides of the Brexit debate, they sent a joint letter[13] to Prime Minister May several months after the referendum with shared concerns about its impact on Northern Ireland. The region's voice has been absent in these discussions since January 2017, when the power-sharing executive – a key component of the Good Friday Agreement – collapsed after disagreements between these parties over mismanagement of a green energy program. Repeated attempts to restore the government have failed, amid disagreements over the Irish Language Act[14] and the polarizing nature of Brexit politics. Practically speaking, there is currently no government[15] in Belfast: civil servants keep the lights on but are reluctant to make politically sensitive decisions, the U.K. secretary of state for Northern Ireland has nominal oversight, and Westminster passed a budget to keep the region solvent. If there was a no-deal Brexit, Britain's top civil servant recommended imposing direct rule to manage the consequences;[16] although London reclaimed decision-making authority from Belfast at various points during the first decade after the agreement, suspending the devolved government now would be contentious.

Security: Northern Ireland remains a post-conflict society: less than 7 percent of children attend integrated schools,[17] punishment beatings by paramilitary organizations increased 60 percent from 2013-2017,[18] and there are more "peace walls" (separation barriers between neighborhoods) now than in 1998.[19] This spring, there were clashes in Londonderry/Derry, following a police raid on suspected dissident republican groups, and journalist Lyra McKee was shot dead.[20] Despite the heightened tension amid Brexit debates, a return to large-scale

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[12] https://lordashcroftpolls.com/2019/09/my-northern-ireland-survey-finds-the-union-on-a-knife-edge/

[13] https://www.irishnews.com/news/politicalnews/2016/08/10/news/first-minister-defends-joint-letter-to-pm-over-brexit-concerns-1106369/

[14] https://www.thejournal.ie/irish-language-act-explainer-3851417-Feb2018/

[15] The DUP returned to the Assembly on October 21 for a symbolic session to protest legislation passed by the U.K. Parliament last July to extend abortion rights to Northern Ireland. The ban was set to end at midnight if the assembly did not block it by that date. The U.K. passed similar legislation to allow gay marriage. As Sinn Féin and the Alliance party did not participate in the session, the recall did not have any practical effect. https://www.theguardian.com/politics/2019/oct/21/dup-stormont-protest-against-abortion-rights

[16] https://www.ft.com/content/3f6f0cf4-b1d6-11e9-8cb2-799a3a8cf37b

[17] https://www.belfasttelegraph.co.uk/life/the-belfast-agreement-20-years-on-a-tale-of-two-cities-36782261.html

[18] https://www.theguardian.com/uk-news/2018/mar/12/northern-ireland-punishment-attacks-rise-60-in-four-years

[19] https://www.bbc.com/news/uk-northern-ireland-43991851

[20] https://www.washingtonpost.com/world/europe/derry-tonight-absolute-madness-journalist-killed-in-northern-ireland-clash/2019/04/19/9d43fcee-6286-11e9-bfad-36a7eb36cb60_story.html

violence is unlikely. However, police chiefs have long warned that any customs-related infrastructure on the border would be attacked.[21]

Relations with Dublin: Brexit has soured Dublin's relations with London, amid protracted wrangling over Brexit arrangements. Memories of the Troubles have faded in England, despite decades of deadly terrorist bombings, with some English politicians causing outrage with comments revealing their ignorance of Northern Ireland sensitivities.[22] British and Irish diplomats will need to find new ways to structure their engagement over shared policy interests, as the U.K.'s departure from the EU means officials will no longer interact regularly at meetings in Brussels.

U.S. engagement

For decades, there was a bipartisan consensus in Washington about the importance of promoting and preserving the peace process in Northern Ireland. Presidents Jimmy Carter and Ronald Reagan expressed support for a peaceful resolution to the conflict and offered economic assistance, with the latter overseeing the establishment of the International Fund for Ireland. In recent years, the U.S. administration provided envoys to help facilitate the peace process. George Mitchell – President Bill Clinton's Envoy for Northern Ireland – helped broker the Good Friday Agreement. Richard Haass – President George W. Bush's Envoy for Northern Ireland – helped save the agreement when it was faltering over slow progress on decommissioning, leading to the historic announcement by the Irish Republican Army (IRA) on October 23, 2001 that it had begun putting its weapons beyond use. Gary Hart – President Barack Obama's Envoy for Northern Ireland – supported talks that prevented the collapse of the devolved institutions and resulted in the Stormont House Agreement in December 2014; Haass and Meghan O'Sullivan (a Harvard professor who served as a senior official in the Bush administration) facilitated an earlier round of talks. The envoy position has remained vacant in the Trump Administration, with former Secretary of State Rex Tillerson informing Senate Foreign Relations Committee Chairman Bob Corker in a letter than the position was "retired" given the Assembly's establishment.[23]

Beyond benign neglect, the Trump Administration has actively cheered for extremists in Britain who want a no-deal exit from the European Union – no matter the cost to Northern Ireland. When this committee held a hearing on Brexit nearly two years ago, my Brookings colleague Tom Wright described the Administration's approach as "a predatory policy, designed to take

[21] https://www.theguardian.com/uk-news/2019/aug/22/northern-ireland-police-chief-simon-byrne-warns-brexit-hard-border-could-revive-paramilitary-groups
[22] https://www.thejournal.ie/uk-politicians-4336217-Dec2018/
[23] https://www.politico.com/f/?id=0000015e-2b43-db52-a75e-ff7b3bfa0001

immediate economic advantage of the dislocations and vulnerabilities created for the U.K. by the Brexit process."[24] The Administration has doubled down on this approach. President Donald Trump has described Brexit as a "great thing."[25] He encouraged the U.K. to abandon divorce talks with the E.U.,[26] which he views as a "foe,"[27] in favor of a trade deal with the U.S. Former National Security Advisor John Bolton announced during an August visit to London that he and Trump were "leavers before there were leavers." [28] Vice President Mike Pence, standing next to Irish Taoiseach Leo Varadkar in Dublin in early September, paid lip service to the peace process before urging Ireland and the E.U. "to negotiate in good faith" with the British government and to "reach an agreement that respects the United Kingdom's sovereignty."[29]

Some congressional leaders have helpfully flagged the costs of a no-deal Brexit for Northern Ireland. House Speaker Nancy Pelosi raised the alarm last April when she and several colleagues toured London, Dublin and Belfast to warn that Congress would not support a U.S.-U.K. trade agreement that damaged the peace process.[30] The co-chairs of the House's Friends of Ireland caucus, Representatives Richard Neal and Peter King, made a similar bipartisan pledge.[31] The congressional debate assumed more partisan overtones in the letter sent by Senator Tom Cotton and 43 Republican colleagues to Prime Minister Johnson, which championed a trade deal "irrespective of how Brexit occurs."[32]

The United States could accept any Brexit agreement reached by the U.K. and the E.U., apart from no deal. In an ideal world, the U.S. government would have facilitated dialogue among the parties as it has in the past; for example, it could have helped negotiate an acceptable variation of a Northern Ireland-only backstop or supported efforts to reestablish the devolved government. At this stage, interventions from the Administration that champion one side to its own advantage are seen as disruptive rather than helpful. But at a minimum, it should refrain from advocating a disastrous no-deal Brexit that the British government's own contingency

[24] https://www.brookings.edu/wp-content/uploads/2017/12/wright-house-fa-committee-brexit-testimony-dec-6-final1.pdf
[25] https://www.nytimes.com/2016/06/25/us/politics/donald-trump-scotland.html
[26] https://www.politico.eu/article/donald-trump-backs-no-deal-brexit-farage-trade-us-uk/
[27] https://www.bbc.com/news/world-us-canada-44837311
[28] https://www.washingtonpost.com/world/europe/john-bolton-promises-britain-will-befront-of-the-trade-queue-after-brexit-says-eu-treats-citizens-likepeasants/2019/08/13/df4b7ac2-bdad-11e9-aff2-3835caab97f6_story.html
[29] https://www.irishtimes.com/news/politics/pence-s-brexit-backing-catches-dublin-unawares-1.4006803
[30] https://www.washingtonpost.com/world/pelosi-warns-there-will-be-no-us-uk-trade-deal-if-brexit-harms-the-irish-peace-accord/2019/04/16/51dff152-6049-11e9-bf24-db4b9fb62aa2_story.html
[31] https://www.theguardian.com/politics/2019/jul/31/brexit-mess-with-good-friday-and-well-block-uk-trade-deal-us-politicians-warn
[32] https://www.cotton.senate.gov/?p=press_release&id=1191

plans[33] show would have significant negative consequences – including to long-standing American interest in a peaceful and prosperous Northern Ireland.

Peace should not be a partisan issue. Nor should this be a zero sum exercise, in which political leaders feel compelled to back either the British government or the Irish government. As conflict rages across the globe, all sides should unite to protect the hard-earned peace dividend in Northern Ireland.

[33] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/831199/20190802_Latest_Yellowhammer_Planning_assumptions_CDL.pdf

Mr. KEATING. Dr. Farrell.

STATEMENT OF HENRY FARRELL, PH.D., ASSOCIATE PROFESSOR OF POLITICAL SCIENCE AND INTERNATIONAL AFFAIRS, ELLIOTT SCHOOL OF INTERNATIONAL AFFAIRS, THE GEORGE WASHINGTON UNIVERSITY

Dr. FARRELL. Chairman Keating, Ranking Member Kinzinger, distinguished members of the subcommittee, thank you very much for inviting me to be here today. Like Dr. Sloat, I will confine myself to a few relatively brief points.

First of all, it should be clear that Brexit was inevitably going to stress the Good Friday Agreement. The European Union has played a very important role in the lead-up to the Good Friday Agreement.

And it, first of all, helped to drain some of the political tensions between the United Kingdom and Ireland when both were members. The tensions over the border issue and over territorial issues became less relevant. It created a context in which Northern Ireland politicians could come together in Brussels and in Strasbourg in order to try and fight for their constituents.

And, quite importantly, the fact that there was a Customs Union meant the abandonment of customs posts between Northern Ireland and the Republic of Ireland, hence making the border a less physically visceral thing.

So when the Brexit problems began to emerge, there was a lot of fear, which continued until the last couple of weeks, that we might be a no-deal Brexit. And if we saw a no-deal Brexit, this would have had extraordinarily negative consequences for the peace in Northern Ireland. We would have seen the emergence of a hard border between Northern Ireland and the Republic, which inevitably would have become a target for Republican dissidents and given them a cause to organize around.

We also would have seen substantial economic hardship on both sides of the border, which would have, in turn, very likely generated political pressures that might have led to an increase in tension and perhaps helped push toward increased violence.

And, most importantly perhaps, we would have seen a very undefined set of relations between the islands of the United Kingdom and Ireland, and between Northern Ireland and the Republic, which would have generated the sense that there were possibilities open there that were up for grabs, which are a variety of parties, some of them well-intentioned, some of them definitely less well-intentioned, might have sought to seize upon for their own particular purposes.

So the belief that there was a high likelihood up until the last couple of weeks of a no-deal Brexit caused a lot of worry and fear and angst. The deal that we have at the moment that is currently being considered by the House of Commons, from the perspective of Northern Ireland peace, it is not perfect by any stretch of the imagination, but it is far better than the alternative, which drew a lot of attention.

So if we see what is happening in the deal, the two key arrangements from the perspective of peace in Northern Ireland are as follows.

First, there is a very, very complex customs arrangement under which Northern Ireland would still be nominally part of the United Kingdom from the perspective of doing international trade deals, but in practice would be effectively subcontracting out the administration of European Union customs arrangement within the Northern Ireland space. This would be extremely hard to administer.

There are a lot of complex questions about how it will be administered, but it would at least mean that the key border will be a border between the island of Great Britain and Northern Ireland, rather than between the Republic and Northern Ireland, hence making it less likely that there is going to be—going to be things for Republican dissidents to organize around.

And also, there is an assent process by which the Northern Ireland Assembly as a whole, through a majority vote, or ideally through a vote of both communities, can effectively pass judgment upon the arrangement.

So this is a lot better, but it is far from perfect. The unionist community is extremely unhappy, especially the Democratic Unionist party, which feels that it has been betrayed, and we see the possibility of stress on the institutions. As Dr. Sloat mentioned, the Assembly has effectively been out of action, as has been the government of Northern Ireland for the last 2 years. And bringing the Assembly together to vote upon this may create a set of future stress points, which may be problematic.

What the United States can do is what it has been continuing to do, at least on the House and the Senate side, which is to continue to express strong support for the peace process in Northern Ireland. The U.S. role, as has been noted already, has been extremely positive, and there may be some scope for reaching out to and reassuring the Unionist community.

Effectively, there is a lot of angst and tension in the Unionist community, and a lot of fears that they are going to be bumped into a united Ireland, that there is now a majority, or close to a majority, for support for a united Ireland, and that the Republic of Ireland is looking to maneuver in order to make this happen.

This is, frankly, not at all a likely prospect. The Republic of Ireland, if it has learned anything from the Brexit debacle, it is that having a narrow majority and a referendum is not a recipe for political stability and, hence, the Republic of Ireland is not particularly interested in pushing forward toward any short-term destabilizing arrangements.

And to the extent that the United States can help to reassure the unionist community that the principle of consent of both communities is still important and is still the cornerstone of the Anglo-Irish Agreement, this would plausibly help perhaps to at least alleviate some of the tensions.

Thank you.

[The prepared statement of Dr. Farrell follows:]

Henry Farrell
Professor of Political Science and International Affairs, George Washington University

Testimony to House Foreign Affairs Subcommittee on Europe, Eurasia, Energy & the Environment hearing on "Protecting the Good Friday Agreement from Brexit" to be held on Tuesday, October 22nd at 2:00pm in the Rayburn House Office Building, Room 2172.

I am testifying regarding the impact of Brexit on the Good Friday Agreement, and the peace process in Ireland. I am a professor of political science and international affairs at George Washington University.

The complex relationship between Brexit and peace in Northern Ireland has been at the heart of many of the negotiating disagreements between the United Kingdom and the European Union. Now, the European Union and United Kingdom have reached a provisional deal on the terms under which the United Kingdom will leave the European Union. Below are the key points that I believe are most helpful for understanding the current relationship between Brexit and the Good Friday Agreement.

Brexit was inevitably going to stress the Good Friday Agreement

The Good Friday Agreement was helped by the fact that both the Republic of Ireland and the United Kingdom were members of the European Union. This took much of the poison out of the territorial disagreement - both states were part of a broader European political system. The Republic of Ireland became a modern country, confident in its own identity, rather than being, as the Irish political scientist Basil Chubb called it, an "island behind an island," locked into an unhealthy relationship with the United Kingdom. The shared framework of the European Union provided a new context for identity clashes between Northern Ireland's nationalists and unionists, and created incentives for politicians from both sides to cooperate in seeking European Union benefits for their shared constituents. Finally, the European Union's Single Market and Customs Union meant that there were no customs posts, making it easy to build economic relationships across the border.

Together, these helped make it easier to negotiate the Good Friday Agreement, and easier to maintain it. The final Agreement explicitly seeks to "develop still further the unique relationship between [the peoples of these islands] and the close co-operation between their countries as friendly neighbours and as partners in the European Union."

When the United Kingdom decided to leave the European Union, all of this was called into question. Relations will be more complicated when the United Kingdom is no longer be a European Union member state, while the Republic of Ireland is. Clashing national identities will no longer be blurred by a common European context. Indeed, England has defined a stronger national identity in contradiction to European identity. Finally, the customs and border relationship between Northern Ireland and the Republic of Ireland will be more difficult if the United Kingdom is no longer a European Union member. Any border controls and customs

posts would become a target for dissident republicans who want to destabilize the agreement in order and resume terrorist hostility.

Peace in Northern Ireland was a key question during the Brexit negotiations

There was little discussion of Northern Ireland's status in the run-up to the Brexit referendum. However, much of the negotiations over the exit of the United Kingdom from the European Union focused on the border between Northern Ireland and the Republic of Ireland. The European Union decided early on that the security and integrity of Ireland was a key question that would have to be resolved as part of an exit deal. This led the United Kingdom and European Union negotiators to converge on the idea of a 'backstop,' a set of arrangements that would ensure that customs and Single Market rules did not undermine political stability in Northern Ireland. The 'backstop' would operate until both negotiating parties came up with a more satisfactory agreed arrangement.

Initially, the backstop proposal was uncontroversial. However, as time went on, pro-Brexit politicians in the United Kingdom, including members of the ruling Conservative Party, came to detest it. Two basic variants of the backstop were discussed at different stages in negotiations, each of which was politically problematic for pro-Brexit politicians. If it covered the whole of the United Kingdom, it would keep the United Kingdom closely aligned with the European Union's Single Market and customs arrangements, making it difficult for the United Kingdom to negotiate new trade deals. This helps explain the difficulties that Theresa May had in getting the first proposed deal between the United Kingdom and the European Union through Parliament, and the continued efforts of UK negotiators to remove the backstop or make it time limited. If it just covered Northern Ireland, it might be seen as driving a political wedge between the 'mainland' of the United Kingdom and Northern Ireland. This was seen as unacceptable by the Democratic Unionist Party, whose support was necessary to keep the Conservative government in power.

A "no deal Brexit" would be a disaster for peace in Northern Ireland

Many people feared a "no deal" Brexit, where the United Kingdom left the European Union without any agreement. The unpredictability of British politics means that this is still not impossible. There is general consensus that it would be a disaster for peace in Northern Ireland. The border between Northern Ireland and the Republic would immediately become a source of major instability. The Irish government would be faced with the unenviable choice of creating border controls or breaking European Union law. Any new border controls would be a target for terrorist groups. There would be massive disruption to the economies of Great Britain, Northern Ireland, and the Republic of Ireland, with a much increased chance of political unrest. Supply chains between the North and the Republic would be badly damaged, and perhaps torn asunder.

Some United Kingdom and Democratic Unionist Party sources suggested that new technologies would allow for a nearly invisible border between North and South, but they failed to explain in

detail how they would work. Irish government officials and EU negotiators concluded, not unfairly, that these proposals were less a serious solution than an effort to discover if Europe was prepared to accept a deal that papered over the real problems.

The shadow of a no-deal Brexit has hung over negotiations since they began. At times, the United Kingdom appeared to believe that the risk of a no deal Brexit strengthened its negotiating position, since some EU member states, especially Ireland, would be badly affected. However, the British prime minister, Boris Johnson, has ended up agreeing to a deal that makes substantial concessions to the EU in exchange for a cleaner possible break for all of the UK except Northern Ireland.

The proposed replaces the backstop with a frontstop

The draft deal between the United Kingdom and the European Union replaces the 'backstop' with a 'frontstop.' The backstop was a stopgap agreement, intended to serve only until the EU and UK could agree on something better. The deal on the table describes a long term set of institutional arrangements. Northern Ireland will legally fall under UK customs rules – allowing it to be part of future UK free trade agreements – but in practice will still operate using EU rules. This will require some checks between Great Britain and Northern Ireland, but will mean no hard border between Northern Ireland and the Republic of Ireland. This means that economic and political chaos are less likely, and that terrorists will not have an easy target in new border posts.

However, even though the deal was designed to recognize the UK customs union in principle, it weakens it in practice. This will make economic relations between Great Britain and Northern Ireland more complicated. Companies in Northern Ireland who want to export to Great Britain will need to complete export forms, while companies that want to import goods from Great Britain to Northern Ireland may have to pay tariffs, although they can claim the tariff back if they can prove that the product is being sold in Northern Ireland. This is supposed to stop Northern Ireland from becoming an easy way to smuggle goods back and forth between the European Union and the outside world.

It helps protect peace but there are risks

The willingness of EU negotiators and the Irish government to accept the deal signals that they think it is a good bet that the deal will support the Good Friday Agreement, and peace between the different communities in Northern Ireland. The deal on the table is far better for peace than the no-deal Brexit that many feared was likely. It moreover affirms that the Good Friday Agreement "should be protected in all its parts."

However, there are still real dangers. Most importantly, the Democratic Unionist Party and some other unionists oppose the deal. They wanted an arrangement under which the unionist community would have an effective veto power over the deal and its implementation. For support, they pointed to the Good Friday Agreement, which said that many key decisions would

require cross-community support from both nationalists and unionists. Thus, the Democratic Unionist Party argued that any new arrangement for Northern Ireland needed the express consent of both communities.

This proved unacceptable to the Irish government, and to European Union negotiators. Instead, the European Union and the United Kingdom agreed that the Northern Ireland Assembly would have a different kind of opportunity to express its democratic consent to the deal. If a majority of members of the Assembly agree to the deal, it will continue in operation for another four years before consent needs to be renewed through a new vote. If both the nationalist and unionist communities express support, it will continue in operation for eight years. However, the Assembly has not met for over two years, because of continuing deadlock between nationalists and unionists, and it is not clear when it will resume operation.

The lack of a unionist veto has led the Democratic Unionist Party to complain that a "coach and horses" has been driven through the consent principle that underlies the Good Friday Agreement. However, David Trimble, the unionist politician who helped negotiate the Good Friday Agreement (and received a Nobel prize) has described the deal as a "great step forward," which "provides a mechanism for the consent of the people of Northern Ireland."

The hope of negotiators is that the deal provides a durable long term framework for Northern Ireland's relationship with both the United Kingdom, of which it remains part, and the Republic of Ireland, which commands the loyalties of many Northern Irish people. It is written so as to affirm and cement the role of the Good Friday Agreement, and the fundamental principle of consent under which there will be no change to Northern Ireland's status without the agreement of Northern Ireland's people.

The risk is that the framework depends on the repeated consent of the Assembly, and ideally cross-community consent. The requirement to revisit these basic questions may create increased stresses on community relations that are already dysfunctional, and institutions that are currently not working.

The outcome is a set of arrangements that is far better than no-deal Brexit, but that is also far from the ideal. Instead of disaster planning, there is something to be worked with.

What the US can do

There is broad and continuing bipartisan support for the Good Friday Agreement. The US has played a crucial and beneficial role in building and maintaining peace in Northern Ireland. In addition to continuing its existing support and activities, Congress and the administration can contribute in the following ways, if it wishes to prioritize the peace process in Northern Ireland.

Express their support for peace in Northern Ireland

The deal that has been reached has clear benefits for peace in Northern Ireland. Although its

economic repercussions are complex, it takes difficult and destabilizing problems off the table. However, it still needs to be ratified, and faces political challenges in the House of Commons. US statements that affirm the importance of peace in Northern Ireland and the continuing US commitment to the Good Friday Agreement will provide helpful signals to British politicians trying to navigate their own set of complex political tradeoffs.

Reaffirm their broad support for the principle of consent

Some Unionist opposition is motivated by the fear that Northern Ireland's situation might change without their consent, and that the principle of consent is being undermined by the current deal. These fears are often based in a misunderstanding of the Republic of Ireland's motivations. If there is one thing that the Republic's government has learned from Brexit, it is that broad political changes will lead to political instability if there is not equally broad consent among the relevant public.

It is reasonable for the UK and European Union not to condition a broad arrangement for exiting the European Union on the veto of one community. The Good Friday Agreement was never intended to apply to international economic and trade relationships, because no-one anticipated anything like the present circumstances. However, US reaffirmation of the importance of democratic consent to any change in Northern Ireland's constitutional circumstances may help to allay fears within the unionist community.

Support a customs and trade agreement between the UK and European Union

Once the United Kingdom and European Union finalize the withdrawal process, they will need to begin a new set of negotiations on the future relationship between the two political and economic systems. There are many complex and unwieldy aspects to the new customs arrangements for Northern Ireland. The United States should encourage the United Kingdom and European Union to strike a broad deal on trade and customs quickly, with clear, and straightforward terms. The less complex the future relationship between the United Kingdom and European Union, the fewer difficulties for Northern Ireland, and the lower the risk of future political turmoil.

Mr. KEATING. Well, thank you. This is an unusual set of events. I am now going to report that the vote passed 329 to 299 on the second reading to the withdrawal agreement bill, which means it will advance for further consideration, and we will learn shortly the results of the next vote on the timetable for consideration.

I do want to just start asking a couple of questions, and I think Dr. Farrell really touched this. But if you both could maybe expand on it a little bit, and that is, you know, regardless of what agreements may or may not be made, you know, the people of Northern Ireland voted not to leave the EU in the 2016 referendum, and many citizens and political leaders feel they have not had a voice in the Brexit negotiations.

So if you could, you know, we see a lot of the officials moving, but what effect do you think, you know, the sentiment behind that vote has on success perhaps going forward? Or it is very important what the people have felt themselves, and there are reports that many of those people feel left out of that process.

Dr. SLOAT. I thank you very much for the question, as well as for the play by play updates on what is happening in London. I would make two broad points. One, Brexit has certainly polarized politics across the U.K. You are absolutely right that there was a majority in Northern Ireland that voted to remain in the European Union. It was the same in Scotland, the same in London, and so you have got a certain amount of unhappiness across the country at being forced to go along with something that they, within their nations and regions, did not necessarily support.

The broader problem I think with people being left out of this is the fact that you have not had a government sitting in Northern Ireland for almost 3 years. Northern Ireland certainly has elected representatives to the British Parliament.

Sinn Fein, for historical principled reasons of not supporting/recognizing the Queen, or recognizing the British government, do not take up those seats in Westminster, which means that those from the Nationalist community that voted for Sinn Fein do not have a voice in these debates, and you have the Democratic Unionist party playing almost an oversized role in these debates in London, given their role in supporting the Conservative government.

So, really, I think the biggest factor in excluding the voices of the people has been the lack of localized governance in Northern Ireland for so many years.

Dr. FARRELL. Just to reinforce what Dr. Sloat has said, the other question that I think maybe is not as clear from this side of the Atlantic is how much there is a set of pragmatic costs to the current situation, as well as the tensions between the two communities.

So if, for example, one looks to the business community in Northern Ireland, if ones looks to farmers in Northern Ireland, you will see there that there is certainly some—there has been some concern about the bigger political consequences, but there also have been real fears about the ways in which the chaos and the tension and the possibility of a no-deal might have led to economic crisis, might have led to supply chains between Northern Island, the Republic of Ireland being disrupted, might have led to what has become effectively a single antiquated agricultural economy, suddenly

finding that the crucial connections have been severed and trying to figure out how to reweave the threads.

So there has also been a very pragmatic sense that a deal has to be done, and this also has consequences for the Democratic Unionist party, many of whose supporters are probably a little bit more pragmatic than some of the leaders might suggest in their public comments.

Mr. KEATING. You know, I have really been impressed talking to Ireland officials. You know, many of them just use the scenario that things have gone so smoothly generally with what has occurred in the border area that it is almost like starting from scratch.

And they impressed on me how dealing with, as you said, Dr. Farrell, the practical side of this, there are so many situations that are not even anticipated. How long could this stretch out? Even if there is a negotiation, even if things are worked out, this is extremely complex, and I do not think people here fully realize that.

Dr. FARRELL. For a very long time is the answer. So we have a transition period of another 2 years. We also have a lot of arrangements, and I should stress here I am a political scientist. I am not a lawyer.

But there are a lot of arrangements in the text which are going to be extremely difficult to work out in practice, and very, very complex arrangements, in particular, around the application of customs, the application of value-added tax, to try and create this—to turn a complicated political fudge into something which business people can practically deal with in a daily sense.

And so the political solution is extremely important for peace. The pragmatic consequences are going to take a lot of further work.

Dr. SLOAT. I would just add that even if we do get a deal in the near term, we really are only at the end of the beginning. We have essentially finalized the divorce. We now need to work out what the future relationship is going to look like, and there are lots of different permutations, some of which see the U.K. more closely aligned with the EU, and others seeing it much further apart.

And the reality of these provisions for Northern Ireland, as Dr. Farrell mentioned, is that the more closely aligned the U.K. stays with the EU, the less friction there is going to be on the border, and the less separation from Northern Ireland with the rest of Great Britain.

The more deviation, the easier it is going to be for the U.K. to negotiate free trade agreements with the United States and others, it will have greater challenges with Northern Ireland. So it is going to be very difficult for the U.K. to have it both ways, and they are ultimately going to need to make a fundamental decision about how they want to align themselves, especially in regulatory terms.

Mr. KEATING. I would just remind everyone that 80 percent of our trade activity is with EU in that regard, so it is something our country is not going to take too lightly or in a bilateral sense.

I now yield to the ranking member Mr. Kinzinger, for his questions.

Mr. KINZINGER. Thank you, Mr. Chairman. Obviously, there is a lot we do not know, so I think you guys both did a great job of kind of explaining the situation and the difficulties and the unknowns,

and we do not know until we know. So maybe the chairman will get us some more information in the next 12 seconds. Who knows?

But I do want to ask on a couple of things, and I will ask both of you. Talking about the lack of a government in Northern Ireland, can you go into maybe some of the reasons of why, what are the disagreements, and also, has that been complicated by—specifically because of this negotiation and because of Brexit? I will start with whoever wants to go first.

Dr. SLOAT. The short answer is yes. So the Assembly initially collapsed over a domestic dispute. There were criticisms of the way a domestic green energy scheme had been handled, and so that was the thing that precipitated the initial crisis. The institutions have always been very precarious. There is narrow trust between the two parties, and so once the trust fell apart it was very difficult to get it back together.

You then started to have disputes over interest by the Nationalist community in bringing the Irish Language Act into effect in Northern Ireland, which was something that the Unionist side had objected to. So that was the dispute on the ground, but certainly the broader tensions over Brexit ended up making politics there much more polarized and ended up increasing the difficulty of getting the Assembly stood back up.

Mr. KINZINGER. OK.

Dr. FARRELL. This is further likely to be magnified by the current arrangement under which the Assembly would have to be brought back in, and would have to effectively vote upon whether or not it approves the current arrangement. So if you want to be optimistic, you could see this as being a possible reason and rationale to bang heads together and to get both sides to agree.

If you want to be pessimistic, you could look at the stakes at play, at the way that the Democratic Unionist party says that it has been betrayed, and you might see this as becoming yet another reason why it is difficult to get the Assembly back working and get back to a situation of normality or whatever approximates best to normality in Northern Ireland.

Mr. KINZINGER. Dr. Sloat, you said—you were talking about the unfilled envoy position. Dr. Farrell addressed Congress' role, but the United States played an important role in the peace talks and the Good Friday Agreement and in the violent war. Can you tell me what we are doing now to preserve it, or are we just absent on it? I guess executive branch specifically because Congress is—we are doing this.

Dr. SLOAT. Right. That would be an executive branch role, and I do not want to speak on behalf of the State Department. My understanding is that officials within the State Department have continued to have conversations with the British government, with the Irish government. Certainly, at an official level, their policy is to continue to support the Good Friday Agreement, and to have an agreement on a deal between both sides that preserves economic stability.

But there certainly does not seem to be any effort the way there had been in previous administrations of both political parties that has a designated figure that essentially does a lot of shuttle diplo-

macy on the ground between the two governments as well as between the political parties in Northern Ireland itself.

Mr. KINZINGER. Is your sense that they are just waiting until there is an agreement or that it is just a lack of interest?

Dr. SLOAT. Well, what I have to go by is, the letter that Secretary Tillerson provided to Chairman Corker, which made a case for saving the money that had been spent on the envoy and having that role fulfilled by the Bureau of European and Eurasian Affairs in the State Department instead, and also indicating that when the Assembly had been stood up, which was the point at which the letter had been submitted, the Administration did not see a reason to have an envoy in place.

Mr. KINZINGER. OK. Dr. Farrell, we know that the installation of barriers along the Irish border could possibly lead to instability. In the event of a no-deal Brexit, which we obviously hope is not the case, could an open border that deploys new technology be maintained?

Dr. FARRELL. So certainly there has been discussion of new technology. This was a major topic during the negotiations where the United Kingdom effectively said that it should be possible with new technologies to create a seamless and invisible border.

However, the United Kingdom never produced anything in the way of specific plans to show how this could be plausibly implemented, and hence the strong belief on the European Union negotiator side, and also I believe among many political people in Ireland, was that this was effectively an effort to see if they could get a fudge created, which would not provide an actual border but which would instead sort of provide a political deal which would allow both sides to say that the problem had been resolved, even while the prospect of smuggling and other things across the border went more or less sort of unacknowledged.

And the European Union was particularly strongly against this because, as has been mentioned already, this is the only land border that would exist between the United Kingdom and the European Union, and hence they did not want this to be a source of significant economic abuse of the system.

And the final thing that should be noted here is that there has been a lively underground economy on both sides of the border, which has sought to finesse various differences between regulation, for example, of gasoline for industrial uses. This has been one of the things that helped keep the Troubles going for along period of time, so that the issue of cross-border smuggling has security as well as economic consequences.

Mr. KINZINGER. Thank you both. I yield back.

Mr. KEATING. Latest news, the vote on the timetable has failed, so it looks like we may be waiting to hear from the EU on the extension.

The chair recognizes Representative Cicilline. Good luck, Representative Cicilline, with that.

Mr. CICILLINE. Our entire committee is in your debt for those updates, Mr. Chairman.

Thank you to our witnesses. Obviously, this cross-border cooperation is one of the most important parts of the Good Friday Agreement, and I wonder if you would speak for a moment about the po-

tential reestablishment of border controls and whether or not in any important way that would undermine the Good Friday Agreement, and how in particular the populations that are living near the border are likely to respond to any additional border controls.

Dr. Farrell.

Dr. FARRELL. At the moment, it appears under the current deal, if it does get through whatever hurdles—and I am very grateful to be informed on a moment-by-moment basis—the current deal would not involve any formal border controls at all. The idea, then, would be that whatever border controls would exist would exist in the Irish Sea between Great Britain and Northern Ireland. So that effectively there will be controls of material coming in and out.

So the arrangements are extremely complex, but the idea is that there will be specific controls that would seek to ensure that material or goods which came into Northern Ireland, and which were destined for elsewhere in the European Union, would then sort of be taxed at the relevant rates.

And if you were importing something which had a tariff on it, purely for use in Northern Ireland, you would be able to apply for a rebate of the tariff. Obviously, how this would work in practice is open to question. There are a lot of details to be ironed out, to put it mildly, but what it does do is to ensure that the risk of a physical border between Northern Ireland and the Republic, which could become a magnet for various forms of dissident activity, that this risk appears to have been avoided, assuming that the current deal actually goes through and sticks.

Mr. CICILLINE. Dr. Sloat, do you agree? Assuming that that deal is approved and sticks, and all of those logistics can be worked out, that none of the provisions will undermine the Good Friday Agreement?

Dr. SLOAT. Well, I think——

Mr. CICILLINE. There is a lot of conditionality, I recognize——

Ms. SLOAT [continuing]. As well, and to the chairman's update, the British Prime Minister had indicated that if this was the outcome that he was likely to move to early elections and an extension. So we will see how this plays out.

As to the question of whether or not infrastructure would be disruptive, it would be hugely disruptive. I mean, it would create practical and economic challenges. You have farms that literally straddle the border, and so what will you do about sheep that are wandering across the border.

You have hundreds of crossings on the border, which would be extremely difficult to police. You have the psychological aspect of people that lived through decades of violence and saw in recent years these checkpoints coming down. And as Dr. Farrell said, the police in Northern Ireland had been very clear that any checkpoints would be a magnet for attack by dissidents.

There does seem to be an indication that the mechanisms that have been developed in this protocol do eliminate the need to have physical checks on the border. However, there are concerns about the potential for a border in the Irish Sea, and what this is going to mean for regulatory provisions in Northern Ireland, to the extent to which the U.K. ends up deviating from the EU in some of these economic and regulatory terms.

There are also broader questions about how political figures in Northern Ireland will be involved in various mechanisms that will be overseeing these new institutions that have been created. So I think if the deal goes forward with the current protocol, it will at least address the situation on the border, but there are still going to be a number of complexities that are going to have to be addressed.

Mr. CICILLINE. And, Dr. Sloat, you mentioned part of this outcome will be determined on the nature of the relationship between the U.K. and the EU There are some who are suggesting that the United States should begin discussing a bilateral trade deal with the U.K. before a final Brexit deal is reached. Do you think that is a good idea? And what are the implications for Ireland, Northern Ireland, and the Good Friday Agreement, if any?

Dr. SLOAT. Well, in technical terms, the U.K. is not going to be able to sign free trade agreements with third countries until it is fully out of the European Union. If this current deal goes through, there is currently expected to be a transition period. At the moment, that would run until December 2020. It is possible both sides could decide—or to extend that, so you certainly could have talks starting on a free trade agreement, but the U.K. is not going to be able to sign anything until the divorce is completely final.

I think the U.K. is also going to have to make some broader decisions about how it wants to align itself, because it is going to be very difficult for the U.K. to be aligned with both the U.S. and the EU on things like agriculture, for example, on things like tech standards and data privacy.

And so the challenge for Northern Ireland is that the further the U.K. deviates from EU standards, the greater the challenge that you are going to have with Northern Ireland being treated differently from the rest of Great Britain.

Mr. CICILLINE. Thank you so much. I yield back, Mr. Chairman.

Mr. KEATING. Thank you.

Representative PENCE.

Mr. PENCE. Thank you, Mr. Chairman, and Ranking Member Kinzinger, and Cicilline for asking my question. Thank you very much. That was perfect.

My grandfather actually left during the Troubles because the north and the south could not get along back in 1921, I believe. So my heart is in Ireland, as are still many of my relatives.

Thank you for being here today. Indiana Hoosiers conduct business all over the world exporting products and services from the Hoosier State to everywhere. This includes the United Kingdom and the Republic of Ireland. The Republic of Ireland represents the Hoosier State's 8th and 14th largest export markets, respectively, the United Kingdom and Ireland.

Both of you make references to the effects Brexit, more broadly and specifically the situation we are discussing here, could have on trade relations with the United States. In your view, what is the ideal resolution, given the votes and the things that are happening immediately today, changing situation, that could result in the best possibility of the U.S./U.K. free trade agreement? And how can the United States be most supportive of this result right now focusing on trade?

Dr. FARRELL. As Dr. Sloat says, there is a set of tradeoffs here. If you are primarily concerned about peace in Northern Ireland, then the closer that the United Kingdom and the European Union are aligned with regard to regulation, with regard to a possible customs union, with regard to the kinds of machineries of the single market, this extraordinarily complicated set of regulations, the better.

So these things, the closer that the United Kingdom and the European Union are, the better it is for peace in Northern Ireland. Obviously, that means that the closer that the EU and U.K. are, the more difficult it is to create a kind of a deal with the United States on many of the issues that the United States is concerned with. So that I think is an important tradeoff that ought to be acknowledged.

Dr. SLOAT. I agree with all of that. I would just add that the worst outcome I think from the perspective of the peace process in Northern Ireland is for the U.K. to leave the European Union without a deal. I think while there are certainly tradeoffs and complexities in the deal that is currently on the table, it at least would go some ways toward addressing the situation in Northern Ireland.

What I think is particularly harmful is encouraging the U.K. to leave the EU with no deal and simply to walk away, because under those conditions none of these provisions that we have been discussing would apply. And, in theory, the British and Irish governments would need to reimpose border controls on the island of Ireland. That would be very damaging for all of the reasons that we have been discussing.

So certainly continuing to encourage the sides to reach an agreement and to have an orderly departure by the U.K. from the European Union would be the most satisfactory outcome.

Mr. PENCE. And if I can just add on to what Dr. Sloat says, in that situation, it would be actually quite likely that the United Kingdom would find itself being forced to submit itself to many European Union regulations without very much voice in the process.

So, effectively, the U.K. and the European Union are already so closely and so tightly and intimately connected that it is going to be very, very hard for the United Kingdom to extract itself without a formal and orderly process of negotiation in a situation where the United Kingdom rockets out at the belief among many commentators is that the aftermath, the hangover, would be quite extreme for the United Kingdom, and that would effectively find itself having to accept as dictates from the European Union many of the things that it believes that it will be able to get away from.

Mr. PENCE. Thank you. I yield back.

Mr. KEATING. Thank you.

Representative COSTA.

Mr. COSTA. Thank you very much, Mr. Chairman, for this hearing. It is timely, obviously.

Given the vote that was just announced today, do either of you care to speculate on what scenarios you think may now develop as a result of the loss of today's vote by the Prime Minister?

Dr. SLOAT. So just to summarize briefly, what it sounds like happened today, and where that leaves us, Boris Johnson renegotiated the Brexit deal that his predecessor, Theresa May, had negotiated

with the European Union, removing the backstop for Northern Ireland, which was very unpopular, and replacing it with this protocol for Ireland.

Boris Johnson tried to bring that for a vote in Parliament on Saturday. Parliament made the decision not to vote on that and instead to introduce an amendment that would force the government to ask the EU for an extension and prevent there from being a no-deal outcome.

So today he ended up bringing the implementing legislation to a vote in Parliament. It was the second reading today, which it sounds like Parliament passed. It is then expected that it would open up a whole raft of amendments on things like a customs union and a referendum.

The second vote was the program motion, which was essentially the timetable for passing this legislation. Members only got the 115-page bill yesterday. There has been a lot of concern that they have not been able to scrutinize it. You would not be able to have committee hearings.

Boris Johnson wanted them to complete the process on the——

Mr. COSTA. He was forcing the issue.

Ms. SLOAT [continuing]. By Thursday. Absolutely. Because he wants to be able to say that the U.K. is leaving by the 31st. What he previously indicated was that if this program motion was not supported, his timetable was not supported, that would make it very difficult for him to leave on time and he was likely to call for general elections. So if I had to predict what was going to happen, I suspect that we will now see the EU grant some sort of extension, potentially until the end of January, if not longer, and the U.K. will move to general elections, and this Brexit debate will get punted for longer.

Mr. COSTA. Do you concur, Dr. Farrell?

Dr. FARRELL. I do, yes.

Mr. COSTA. Well, and then obviously that potentially sets up a situation in which—do you believe under any circumstances that a part of a call for new elections might include a new referendum on Brexit? I know that has been discussed by some.

Dr. SLOAT. The second referendum would entirely depend on who won the election. Boris Johnson and the Conservative Party do not support a second referendum. The Liberal Democrats have argued that if they are elected, they would revoke the Article 50 notification to leave the EU and not even have a second referendum. And the Labour Party has tended to prevaricate on this. Its leader——

Mr. COSTA. Yes.

Ms. SLOAT [continuing]. Jeremy Corbyn——

Mr. COSTA. That is a nice term.

Ms. SLOAT [continuing]. Has indicated that he would want to negotiate a better Brexit deal than Johnson's, and he would then bring that to a referendum where people could choose between his new deal and staying in. So it really is going to depend on the outcome of the election, and you would need to have either a Labour government or a Labour-Liberal coalition for a second referendum to be possible.

Mr. COSTA. But both within the Labour government and within the Tory government, we have seen an erosion of confidence among

MPs within both parties. And what that portends in terms of new elections, I do not know that anyone can speculate at this time. Is that correct?

Dr. FARRELL. That is reasonably correct. What I would say as well is that one of the things that has changed over the last couple of years, is increasing in patients in the European Union's other member States——

Mr. COSTA. Yes.

Mr. FARRELL [continuing]. About the process, and there is a distinct—there will be a distinct reluctance I think among some European Union member States to have the United Kingdom come back into the club, you know, given the political chaos that would likely accompany.

Mr. COSTA. Well, as the chair of the Transatlantic Legislators Dialogue, we are scheduled to meet again in Finland in the first of November, and I believe this should be a focus of our agenda in terms of discussion.

The comments that I have gotten from our European allies, those in the EU, is that their impatience and their frustration just continues to grow, and they are preparing for an EU without the U.K. But the impacts on the economies I think are going to be greater felt by the United Kingdom than they will be by the European Union. What do you think?

Dr. FARRELL. With the exception of Ireland—Ireland is the other country which, unsurprisingly, is going to be directly affected by a Brexit, especially a hard Brexit, because many of the transport and logistic routes through which products reach Ireland effectively go through the United Kingdom.

So this was one of the last gasp efforts of the United Kingdom to try and push Ireland—the Republic to weaken, was effectively to suggest that Ireland would be dragged down in the chaos, if it did not agree to significant concessions. But, in general, the United Kingdom, the consensus seems to be that it is going to be significantly worse affected than pretty well any other member State in the situation of a hard Brexit.

Mr. COSTA. Yes. Well, my time has expired, but I am very interested in, obviously, whether or not a Finnish-type resolution to this might be in the asking.

Mr. KEATING. Well, all right.

Mr. COSTA. It is like trying to predict the future, right?

Mr. KEATING. All right. The gentleman's time——

Mr. COSTA. Thank you. Thank you, Mr. Chairman.

Mr. KEATING [continuing]. Has expired.

Representative GUEST.

Mr. GUEST. Thank you, Mr. Chairman.

Dr. Sloat, in your written testimony on page 4 under Consequences of Brexit, dealing first with the economy, you state "A no-Brexit deal would create significant economic risk, including the projected loss of 40,000 jobs and an estimated decline in exports to Ireland of 11 to 19 percent."

My question to you is, what impact would an Irish Sea customs border have on Norther Ireland's economy? If you can speak on that.

Dr. SLOAT. I do not have a detailed answer on that. This was something that was just agreed between the two sides in the last couple of days, and so there are a lot of economists in the U.K. and Ireland who are smarter than I am on trade things who are looking into this. I would be happy to take the question and try and find some analysis on that to provide, but I do not have a good sense off the top of my head.

The one thing that I will say is that the risk of a no-deal Brexit would be the most economically disastrous for Ireland in particular, as Dr. Farrell was discussing, as well as for Northern Ireland. And so certainly any sort of negotiated agreement that leads the U.K. to leave the EU with a deal is going to be less damaging economically than a no-deal scenario would be.

Mr. GUEST. And, Dr. Farrell, do you believe that, that the worst-case scenario is a no-Brexit deal as far as effect on the economy and any sort of deal, including an Irish Sea customs border would not adversely—would not as adversely affect the Irish economy as a no-Brexit?

Dr. FARRELL. That is entirely correct, sir. So as Dr. Sloat says, we do not have any very good estimates of what the current deal is. But what we can say is that the Northern Ireland business community, while concerned about many of the fuzzy areas and how easily it is going to be to implement some of the complex arrangements, it is at the stage of talking about details, trying to get the government to commit to specifics, rather than as with a no-deal Brexit, telling the governments on both sides and, indeed, the European Union negotiators as well that this was potentially going to be disastrous.

So I think that we are in a situation where we have moved from a situation of potential dire harm to the economy to messy and painful and difficult-to-understand regulations, which are probably going to have some significant consequences and may have long-term political consequences in terms of making the island of Ireland into a more robust and more unified economy, but which is not going to be an economic disaster under I think any plausible read, at least that I have seen, of what is the likely future scenario.

Mr. GUEST. And, Dr. Sloat, one other thing that you mentioned in your report as talking about—you categorize as polarized attitudes. It says Brexit has brought back the old polarization, including questions about the region's constitutional future.

A September poll by Lord Ashcroft found 51 percent in favor of joining Ireland with results divided among community lines. More than half of those surveyed believe Brexit strengthens the case for Irish unification.

My question to both of you is, what do you see as the likelihood of Irish unification in the near future?

Dr. SLOAT. Part of that I think ends up depending on the way Brexit plays out. I think if you had a no-deal Brexit that resulted in a hard border, there probably would be growing support for reunification, due in part to the logistical and the psychological complexities that would be caused by the reimposition of a border.

Certainly, all of the talk about the constitutional status of the border has unsettled politics there, and so you have discussion about the possibility of having a border poll a referendum on unifi-

cation, which is an issue that had been largely quiet for the last 20 years since the Good Friday Agreement was signed. So I think that question is going to depend in large part on how Brexit plays out.

Also, as we have been discussing, there are concerns about this new protocol for Ireland, the imposition of a border in the Irish Sea. And if you end up seeing significant deviation by Great Britain from EU regulations, that is going to end up creating more difference between Great Britain and Northern Ireland. It is also possible that that could contribute to a greater call for unification as well.

Mr. GUEST. And, Dr. Farrell, do you have anything you would like to add or anything that you—any disagreement you may have?

Dr. FARRELL. So I would say that the likelihood in the next number of years is low. I would also say that there is an important gap between Nationalist in Northern Ireland and most parties in the Republic of Ireland.

So Sinn Fein very certainly would like to see Irish unification and has a strategy of becoming a political party and a player on both sides of the border, but the Irish government and the major Irish parties are I think quite opposed to the idea, although they will not say so publicly, of any Irish reunification in the near future.

This is partly because the Republic has always been more ambivalent about unification in private than it has been in public. It has always viewed with some concern the likelihood of importing a new set of political instabilities and problems, and this has been reinforced, if anything, by the Brexit referendum and by looking at the island next door where you see a constitutional vote that was won by a very narrow majority, which has plunged the United Kingdom into an ongoing political crisis.

And I think that the Republic of Ireland has no particular enthusiasm for any similar kinds of votes which would see a united Ireland happening, except with a quite broad degree of assent, including at least passive and grudging asset from the Unionist community.

Mr. GUEST. Thank you, Mr. Chairman. I yield back.

Mr. KEATING. Thank you.

Representative WILSON.

Mr. WILSON OF SOUTH CAROLINA. Thank you, Chairman Keating, and thank both of you for being here today. I particularly appreciate you being here. I am very grateful. I grew up in the most British city of North America, Charleston, South Carolina. And I am very grateful for that heritage. And then we are also equally grateful for our Irish heritage. The Hibernian Society has always had a remarkable impact on our community, and so we just wish the best somehow for our British and Irish cousins. And I cannot wait for you to figure out how to get them back together.

And with that in mind, both of you, what aspects of a new U.S./U.K. trade deal would be most beneficial to Northern Ireland's economy? What are the principal tenets of a deal that Congress should support in any implementing legislation?

Dr. FARRELL. Well, so the tradeoff here—and I think both of us discussed this to some extent in our written testimony—is the

question of whether—to the extent that Ireland—that the—sorry. Let me begin again.

To the extent that Northern Ireland and the United Kingdom are closely aligned with the European Customs Union, this makes peace easier to accomplish. It means that the complicated new arrangements become less politically salient than they would be otherwise. To the extent that the United Kingdom breaks away from the European Union, this makes it easier to do a deal with the United States.

So there is, in a sense, an important tradeoff there between U.S. interests in doing a deal, doing a commercial trade deal with the United Kingdom, and U.S. interests in encouraging continuing peace within Northern Ireland.

Dr. SLOAT. I think that is right. I mean, just to take a very specific example, if you take something like genetically modified foods, or, things within the agriculture industry, those are things that I would presume the U.S. Government is going to look for concessions from the British government on in agreeing a free trade agreement with the United States.

If the U.K. agrees to make those concessions, it is likely to cause it to deviate from the European Union, and that is going to end up creating more complexities with the situation in Northern Ireland. So it is certainly not to say that the U.S. and U.K. should not have a free trade agreement, I do not think this should be a zero-sum negotiation. I do not think we should have to pick sides.

But I think there is the reality, as Dr. Farrell was just laying out, that the further the U.K. deviates from EU rules, especially to make free trade agreements with third countries, the more complexity it is going to create in terms of the alignment in Northern Ireland.

Mr. WILSON OF SOUTH CAROLINA. I look forward to working with Chairman Keating on any legislation that might be appropriate to be of assistance. And, again, for each of you, how can the U.S. increase economic ties with Northern Ireland and support investment opportunities to help mitigate any negative impacts of the no-deal Brexit?

Dr. SLOAT. Well, hopefully we will not have a no-deal Brexit, and things at least have been moving in a closer direction to being able to do that. I think if we have a no-deal Brexit, it is going to be very economically disadvantageous for Northern Ireland, and potentially is going to be very politically destabilizing and raise some security concerns.

I think if there is a Brexit deal, certainly continuing to have American investment in Northern Ireland is going to be incredibly important. In my testimony, I cited a study by Invest Northern Ireland that had counted nearly 900 international companies employing around 100,000 people in Northern Ireland.

And so certainly the message from the region in the last couple of years had been that they were open for business. You have an educated population. They speak English. You have had call centers there. You had Game of Thrones and other TV and movies that were filmed there.

So I think there is enormous economic and investment potential in Northern Ireland. And hopefully, if we are able to get to a place

where Brexit is resolved, we will be able to have continued investment there.

Dr. FARRELL. And to add to what Dr. Sloat said, it is clear that the current deal has many complexities, many regulatory complexities, which will make life more complicated in Northern Ireland. But given I think the native Irish ability to figure out an angle on stuff, I would suspect that there are going to be also some interesting opportunities from being the part of the United Kingdom that is directly aligned with the European Union. That may also have some important implications in terms of inward investment and other possible ways to play the rules so as to advantage the local economy.

Mr. WILSON OF SOUTH CAROLINA. And I thank you, and I believe, indeed, the Irish people have overcome many obstacles in the past and can do that in the future.

Thank you very much. I yield back.

Mr. KEATING. All right. I thank the gentleman. I thank our witnesses today.

I cannot think of many days in maybe months, going back months, that are more challenging for members than today with everything that is going on in Congress on the House side than today, and I not only thank the witnesses but I thank the members of the committee, Chairman Engel of the full committee, in working his way here, but it is difficult today.

But just as a note of conclusion, which just seems like the wrong word dealing with this subject in any respect. I think the witnesses today and the questions from our members brought forth the idea that there are many contingencies in front of us, many results from that. Some of them are foreseeable.

I think many of them are completely unforeseeable because they are so complicated, and the more you bear down, the more that problems will surface. So this will not be the end of the discussion that we have on this.

I do think, generally speaking, that from an economic standpoint the enemy of business is uncertainty, and this is a whole new level of uncertainty, not just for the U.K., not just for the EU, but globally as well and back here.

We can see how investments and future trade issues and how financing all can be compromised in an environment of uncertainty. And so I hope that we move forward. I hope that the U.K. can move forward, hope the EU can move forward in that respect.

There is one thing I am certain about, and that is the fact that despite not having an envoy in place that this committee, the Foreign Affairs Committee, is deeply interested and concerned on this issue. We have a history, as I mentioned in my opening remarks, as a country that I think was vitally involved in the Good Friday Agreement.

Our best allies come from U.K. and the European Union and Ireland. So we have a lot at stake right here in our own country. So we shall hope for the best, keep track, and make sure that our own constituencies, many of them with very strong, as Representative Wilson mentioned, British diaspora, many, like my own, with very strong Irish diaspora, and as members of the committee and myself

having parents and grandparents from Ireland and from Europe as well.

So we are deeply invested in this. We clearly want to see progress. The U.S. has much at stake itself.

And thanks for taking the time, under a very difficult and changing landscape, one that changed by the minute, for being available and really helping us move forward. If this committee you think can somehow advance, you know, progress in this area, feel free, not just with your statements today but reaching out to us for anything that you think we can be helpful with.

So with that, I will adjourn the hearing, and thank you all.

[Whereupon, at 3:11 p.m., the subcommittee was adjourned.]

APPENDIX

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on Europe, Eurasia, Energy, and the Environment

William R. Keating (D-MA), Chairman

October 22, 2019

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Europe, Eurasia, Energy, and the Environment in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at https://foreignaffairs.house.gov/):

DATE: Tuesday, October 22, 2019

TIME: 2:00 PM

SUBJECT: Protecting the Good Friday Agreement from Brexit

WITNESSES: Amanda Sloat, Ph.D.
Robert Bosch Senior Fellow
Center on the United States and Europe
The Brookings Institution

Henry Farrell, Ph.D.
Associate Professor of Political Science and International Affairs
Elliott School of International Affairs
The George Washington University

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Europe, Eurasia, Energy, and the Environment* HEARING

Day *Tuesday* **Date** *10/22/19* **Room** *2172*

Starting Time *2:04* **Ending Time** *3:11*

Recesses ____ (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Keating

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑
Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

Protecting the Good Friday Agreement from Brexit

SUBCOMMITTEE MEMBERS PRESENT:

See Attached

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

HEARING WITNESSES: Same as meeting notice attached? Yes ☑ **No** ☐
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Dr. Amanda Sloat's Testimony
Dr. Henry Farrell's Testimony
Representative David Cicilline's Addition to the Record

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED 3:11

Subcommittee Staff Associate

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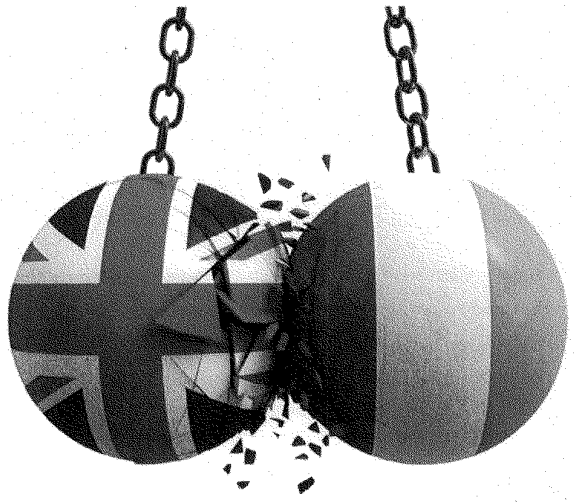
OPINION | DAVID N. CICILLINE, RICHARD NEAL, BILL KEATING, AND JOE KENNEDY III

'No-Deal Brexit' is no deal for Ireland

By **David N. Cicilline, Richard Neal, Bill Keating and Joe Kennedy III**, Updated October 4, 2019, 3:00 a.m.



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MORE THAN 20 YEARS AGO, longtime adversaries in Northern Ireland signed the Good Friday Agreement, cementing a peace in the longest standing political dispute in the history of the Western World. Thirty years of bloodshed that cost more than 3,000 lives and created chaos in both the United Kingdom and Ireland finally came to a halt, allowing both the Republic of Ireland and Northern Ireland to prosper.

Today that peace is at risk. The "No-Deal Brexit" promoted by British Prime Minister Boris Johnson would upend the fragile peace agreement between Northern Ireland and Ireland, and potentially reinstate a hard border with physical checkpoints. This would be

devastating for the people of Ireland and Northern Ireland, and could reignite the conflict.

The United Kingdom is one of the United States' largest trading partners and, according to the Chamber of Commerce, the United States benefited from a net surplus of $15.9 billion of trade in goods and services with the UK in 2017. Moreover, the United States serves as the UK's second largest source of imports and is by far the largest source of exports for the UK economy.

This means the United States holds an incredible amount of leverage with the government of the United Kingdom, as the two discuss a potential post-Brexit bilateral trade agreement.

The Trump administration must make it clear to the British government that any actions that weaken the Good Friday Agreement will make it impossible for there to be a bilateral free trade agreement between the UK and the United States. As House Speaker Nancy Pelosi stated earlier this summer, "We cannot go back."

We cannot go back to a time where violence and chaos reigned, and there were checkpoints and barricades between the Republic of Ireland and Northern Ireland. We must look to the future and push our friends in the UK to maintain the Good Friday Agreement, ensure there are no hard borders reinstated, and that the Brexit negotiations do not threaten to unravel the fragile peace that has allowed Ireland and Northern Ireland to thrive.

Congress will not support any bilateral trade agreement with the United Kingdom if the government abandons its commitment to the Good Friday Agreement. Any statements to the contrary by President Trump or members of his administration are misguided and underestimate the level of commitment we in Congress have to the continued implementation of the agreement and securing an enduring peace for the Republic of Ireland, Northern Ireland, and the United Kingdom.

Ireland, Northern Ireland, and the United Kingdom.

We urge Prime Minister Johnson and members of the British government to heed this warning as they move forward with Brexit negotiations and make a deal that preserves peace.

David N. Cicilline is a US representative from Rhode Island. Richard Neal, Bill Keating, and Joe Kennedy III are US representatives from Massachusetts.

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