



# Select Committee on the European Union

Corrected oral evidence

Brexit: UK-Irish relations—follow-up

Wednesday 31 January 2018

3 pm

Watch the meeting

Members present: Lord Jay of Ewelme (The Chairman); Baroness Armstrong of Hill Top; Baroness Brown of Cambridge; Earl of Kinnoull; Lord Selkirk of Douglas; Baroness Suttie; Baroness Wilcox; Lord Whitty.

Evidence Session No. 10

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Questions 79 - 90

## Witnesses

I: Ruth Taillon, Director, Centre for Cross Border Studies; Gina McIntyre, Chief Executive, Special EU Programmes Body (SEUPB).

## Examination of witnesses

Ruth Taillon and Gina McIntyre.

Q79 **The Chairman:** You are both very welcome. It is good to see you. You come after a lunch with a lot of business people, immediately preceded by Sinn Féin, so it is very good to have you here.

We are members of the Lords EU Committee. We spent yesterday in Dublin, where we had a number of meetings, including with Mr Coveney, the Deputy Prime Minister, and we shall go to Londonderry/Derry this evening. Tomorrow, we are going to be on both sides of the border because we want to get a clearer idea of what Brexit might mean for the border, which is one of the more important things we are studying.

We are very glad to see both of you. Would you like to say something or shall we move straight to questions—whichever suits you best?

**Gina McIntyre:** I will make one comment. I am Gina McIntyre, chief executive of the Special EU Programmes Body, which was set up under the Good Friday agreement. It is an implementation body for the EU funds for PEACE and Interreg. I am directly accountable to the North South Ministerial Council, and hence the directorate Ministers. Indeed, my lines of accountability go to the Northern Ireland Executive, the NSMC, the Houses of the Oireachtas in Dublin and the European Commission.

**The Chairman:** You have rather a large number of masters.

**Gina McIntyre:** Yes, indeed, so my answers and comments will be in relation to the EU programmes that we manage.

**Ruth Taillon:** At the other end of the spectrum, the Centre for Cross Border Studies is a not-for-profit think tank. We were set up after the Good Friday agreement to support and promote cross-border co-operation, mainly on the north/south basis, but we have been increasingly looking not only at our European relationships but with the island of Britain.

One very important thing that we provide in partnership with the North South Ministerial Council is a citizens' cross-border mobility information service. That will be very directly affected by Brexit because the advice that we are able to provide people—and we provide support to the advice sector as well giving people information about, for instance, benefit entitlements and all that—is grounded in the fact that both sides of the border are under EU law.

We know that that is all going to change and that we are going to be inundated. For instance, the day after the referendum the inquiries on the site went from about 500 the day before to over 1,000. That shows the confusion that there will be. We do not have the answers for most of the questions we have been asked so far, but we know that that is going to be impacted—maybe it is the first direct thing.

Over the last couple of years we have spent a lot of time and energy trying to analyse and provide information on Brexit's likely impacts on the island of Ireland. We have produced a number of briefing papers, which I think you are well aware of, but we are a very tiny organisation and very much a not-for-profit charity, so we have a different perspective.

**The Chairman:** Are you linked to a university at all?

**Ruth Taillon:** Queen's University and Dublin City University were our two founding organisations. They provide and nominate to our board for strategic support, but, technically, we are not a research centre of either university. We are a charity and we protect our independence quite a lot.

**Baroness Suttie:** You are free to roam.

Q80 **The Chairman:** In a way, you have answered what I was going to ask—what your two organisations do. One of you, at least, has answered the other question I was going to ask: how has Brexit affected what you do? Gina McIntyre, would you like to say how far Brexit has affected your operations, your organisation, which I imagine is quite a lot—potentially?

**Gina McIntyre:** Potentially, yes. Certainly, in the first six months there was a high degree of uncertainty with regard to how the programmes were going to be implemented and how they would be continued. The PEACE and Interreg programmes are worth over €550 million together and they were in various stages of implementation. We have had calls, applications and assessment, funded projects, but from the day of the vote nobody knew what was going to happen about all the practical aspects—where the money would be provided, whether the programmes could continue, and how this would play out in the legal contract of the programmes with the Commission.

HM Treasury guidance, which started to come through in the summer and in late October, gave us some comfort. The initial guidance said that any projects that had a letter of offer before the end of November would be guaranteed. That then moved on to state that any projects that could be assessed and were contracted before the date of the exit would be honoured by the UK and that it would pay its share of the funds.

Our programmes are made up of three sources: the EU money for both the UK and Ireland, and the match funding that comes from the UK Government, through the Northern Ireland Executive, and the Irish Government. All those different streams of money were necessary to ensure that the full contracts would be honoured. That has allowed us to go ahead with implementation of the projects, but in a very uncertain world, although it is uncertain for everybody as to what the implications will be post that.

We then got some other good news in relation to the programmes. First, the UK Government issued their paper in August last year that said that they would look favourably at continuing these and future programmes. The Irish Government have given unfettered support and commitment to these programmes since 24 June. The European Commission, as you well

know, is not easily swayed, yet it sees our PEACE programme as one of the jewels in its crown and has given us unconditional support throughout this whole process. That has culminated—and I am moving into question 2, I know—

**The Chairman:** Let us stop there and allow Baroness Armstrong ask it.

Q81 **Baroness Armstrong of Hill Top:** We are interested in how people on both sides of the border see Brexit, on the implications for north/south relations on the island of Ireland of the decision that has been taken and the discussions that are going on at the moment.

**Gina McIntyre:** I shall speak very quickly about the programmes because I am quite sure Ruth will have a lot more aspects to add. In relation to the programmes, the applicants and all those people we have met, and indeed all the events that have been discussed on Brexit, including the all-Ireland dialogue events, there is a lot of concern with everybody. I am quite certain that, whether they voted to remain or leave, people are anxious and concerned about what the future may look like and what the conditions will be.

The projects that we have are very happy at the minute that their funding will continue, but they have other concerns such as employment, how regulatory aspects may diverge and what that will mean for the ongoing work in the future. Anecdotally, certainly everybody is extremely concerned, or nervous, about the impacts. I am sure that even those who only see opportunities are also nervous about what is going to happen in relation to the border and in relation to, mainly, the regulatory aspect and the freedom that we enjoy and have enjoyed on this island for the last 20 years.

**Ruth Taillon:** Maybe I will be slightly less diplomatic than Gina has been. There is a big difference, I think, between how it is perceived on the different sides of the border. On the southern side, it is fair to say that there is a very strong consensus and that there has been quite good leadership. I am not usually one to praise politicians, but I think across the parties there has been a quite strong consensus. There is also a different baseline, in a sense, in how people see their identity as European as well as Irish.

On the southern side there is very much a recognition that Brexit will be very damaging to the people on this island, including in the Irish State, and that it is not just a matter for Britain. In fact, there are arguments that the island of Ireland will be worse off than Britain itself will be after Brexit.

On the northern side, there has been a lot less engagement with the issues—that is partly to do with the collapse of the Assembly but also the divisions in the Assembly. It is fair to say that Brexit has become, to a certain extent, an orange and green issue like everything else that we have here. It has been quite worrying, particularly since the referendum, that the tensions in community relations, which have traditionally, as you

know, been Catholic-Protestant, have also already spilled over into challenges to people from outside, even to EU citizens, about their right to access services, to houses and to jobs.

We are very concerned, and it is one of the things we have been saying all along, that the discussion around the border has become contentious again because of the proposals for Brexit. Are community relations—particularly community relations within Northern Ireland, with the transfer of tax and questions about people's rights and entitlements—going to be more disputed? We have already seen a spike in hate crimes, for instance. Austerity and economic pressures and pressures on services, which we are certainly seeing in, for instance, the health service but also in housing and jobs, have real dangers for us and the stability of the political situation. We will not have, possibly, some of the interventions, which is why, for instance, continuation of the PEACE and other EU programmes could be critical for us, or the replacement of them.

**Baroness Armstrong of Hill Top:** Do you notice that more on the border?

**Ruth Taillon:** Not necessarily. I think it would be more in Belfast, to be honest. People on the border have a different way of working. The rurality of the border region makes it different from the tensions inside the city, where housing is so segregated and there is pressure on housing.

**Gina McIntyre:** The concerns in relation to the border issue, with the danger of a hard border and the consequences of that, would have been greater for people who live on the border than people in the cities because they possibly cross the border five times a day just in their daily life. That was of grave concern to them.

I would agree, certainly anecdotally and from what our projects are experiencing, that there is a creep, which is bringing a tension back into society and into community relations that has not been as obvious for quite some time, but it is back.

Q82 **Baroness Brown of Cambridge:** I am interested in probing you a little on the spike in hate crimes and the correlation with Brexit. We have just heard from the Police Service of Northern Ireland. Its view was that, as a consequence of the Brexit vote, it had not seen any worsening of community relations. Is there a clear correlation in your view?

**Ruth Taillon:** I could not give you the statistics. I do not know if you have heard yet from Peter Sheridan, CEO of Co-operation Ireland, which does a lot of work with disadvantaged and vulnerable communities. He is a former assistant chief constable for Northern Ireland. He would talk very much about some of the dangers around community cohesion. We certainly have had anecdotal evidence of eastern Europeans having their homes attacked and different things.

I know certainly, even from just talking to people, that a lot of those who voted for Brexit, as in Britain, did so on immigration issues and foreign people in doctors' offices and all those sorts of issues where people feel there is competition for services under pressure. It is still very much about our local tensions, but also about people who are deemed to be "other" and maybe are not entitled. There were incidents immediately after the referendum where there were attacks and people were told that they did not belong, should not be here and that it was time for them to go home. I could not put numbers on that, but certainly—

**Baroness Brown of Cambridge:** I understand that that is an awful thing to happen to people, but it is at the anecdotal level rather than what is now published data.

**Ruth Taillon:** I am going on newspaper reports and that sort of thing. I could not give you the figures on that; the Community Relations Council probably could. It will increasingly be an issue once people have differential rights.

**Q83 The Earl of Kinnoull:** Perhaps we could turn to the December joint report, which, for the benefit of those listening, was the report on progress so far in the negotiations phase I. Will you give us a high-level appreciation of that and fold into it your feelings about the practical implications of where people have reached so far in the negotiations?

**Gina McIntyre:** Certainly regarding the programmes, there have been very welcome statements. Indeed, in the first letter that the Northern Ireland Executive wrote to the UK Government in August 2016 the fourth comment was in relation to the importance of EU funds continuing. As I said, the Irish Government have always been committed.

The documents on 8 December—the phase I documents, which said that they would look favourably at continuation of the programmes and indeed ensure the programmes were complete—were excellent and have been a positive boost to this region and the people involved in the programmes.

The Commission communication in December to the Council went further and said that it wanted to see, because of the benefits of cross-border programmes in this region, both PEACE and Interreg mentioned in the MFF budget. That culminated in the recent and very public conversations between President Juncker and the Taoiseach, but the statements were already in the communication of 8 December.

From our point of view, this is great news. It means that these programmes will be continued and people can still access them, whereas we thought there was a cut-off date of March 2019.

I am not sure about the future planning of programmes. I am not sure that anybody fully appreciates that at the minute because they have made the statement. They have all shown commitment to this, but how it gets planned for the MFF budget in quantum and content has yet to be discussed.

**The Earl of Kinnoull:** Paragraph 55 of the joint report finishes intriguingly. Will you help us with the interpretation of "Possibilities for future support will be examined favourably."?

**Gina McIntyre:** Yes. I think that that was as far as they could go, but, as I said, the communications of the Commission itself to the European Council of the same date went further and said that PEACE and Interreg would both be included. They were going to put those into the MFF budget discussions for post 2020.

The draft budget is to be submitted to the European Council, and the Commission is preparing for it now, in May this year. They are very hopeful that between the Commission and Council they will have that budget finalised by May 2019. As I said, I am not sure yet of the modalities of how they will reach a quantum or indeed content for those programmes, but the Commission has already said it is putting a line in the budget. The Irish would certainly welcome that, and the UK looking favourably on it is probably as good a statement as we will get.

**The Earl of Kinnoull:** That is very helpful; thank you. Ruth, do you have a comment?

**Ruth Taillon:** Certainly, the progress that was made and reflected in the joint report of 8 December has been an important step forward. What is more concerning, I suppose, is that almost immediately there were senior politicians from the UK side—I am not sure how many of them were members of the Government, but certainly members of the governing party—trying to resile from the agreement and the decisions that had been made. It is absolutely essential, as has already been written into the report, that what has already been agreed becomes part of the legal treaty of the withdrawal agreement.

The sooner there is a consensus on that, the better. A lot of misleading and disingenuous statements have been made even about things such as what the single market and the customs union mean, but certainly there has to be good faith in the sense that that has been agreed. We will now build on that and move forward rather than trying to unpick it before we have even got through the withdrawal agreement.

Q84 **The Earl of Kinnoull:** That is also very helpful. Perhaps I may move to a particular point of detail. We have been discussing paragraph 55, but paragraph 49 is quite difficult to construe. At the end, it states, "In the absence of agreed solutions,"—it has been discussing different ways of north/south co-operation and border working—"the United Kingdom will maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South cooperation, the all-island economy and the protection of the 1998 Agreement.", which of course is the Belfast agreement. Some people have said that they feel that makes a soft Brexit inevitable. Can you give us any interpretation or help with that leg of paragraph 49?

**Ruth Taillon:** It was wonderful to see that written in. It will be crucial to see that not get lost somewhere or reversed. It is quite difficult to reconcile that commitment with the determination, the red lines, from the UK Government that they will leave the customs union and the single market. How that can be reconciled, I do not know, but I think it is very important.

I should have stressed in my previous response on the 8 December report the strength of the commitments to the Good Friday agreement in all its parts, which, for us, is the absolute bottom line of what is necessary and important, and whether that is protected. It is very difficult to see how that can be, and I think there has been a lot of focus on the visibility of the border, which has created a certain tension because people are worried about whether every day when they commute they will have to show a passport or whatever. That has also been overemphasised so people are not getting the other issues on how their daily lives are going to be affected by being in two jurisdictions with two different legal systems and regulatory situations. We also have a lot of concerns about the Bill before Parliament at the moment and how some of those things are resolved. It will affect people in all sorts of other ways in their free movement. It is not just the physical crossing of the border or border checkpoints. I will leave it there for now.

**Gina McIntyre:** Again, in relation to the programmes, I know that our projects that have been working cross-border for many years are concerned about the regulatory divergence that may occur. It may take a few years to happen, in the labour market or indeed environmental issues, but that is where they are concerned that regulatory divergence may occur. How paragraph 49 gets translated into practical arrangements will be very interesting.

Q85 **The Earl of Kinnoull:** Thank you. In closing from me, what do you think will be the top two or three issues in the next phase of negotiations for Ireland and Northern Ireland?

**Ruth Taillon:** Maybe I will have a go at that one as well. As to citizens' rights and human rights, the fact that the Charter of Fundamental Rights of the European Union is not going to be incorporated into UK law is a concern, as is the intention that, after Brexit is out of the way, the European Convention on Human Rights could also be rescinded in the UK. On all those things, not just the things that are under the citizens' rights discussions strand, which is slightly separate from the Ireland/Northern Ireland strand—and the two really do overlap—there are certainly concerns about differential rights of different citizens in Northern Ireland.

There has been a lot of talk about how things will be resolved, because everybody is entitled to EU citizenship through their Irish citizenship, but there are a lot of people who do not want to be Irish citizens and there has been very little attention given to how things will pan out. There are a number of things on healthcare entitlements, for instance, , which people really do not have the details of, and there are assumptions that because people could claim EU citizenship, they will have certain rights

and entitlements that are not necessarily going to be transferred because they are not really citizenship rights. They are more to do with where you live and your residency and such like, certainly in terms of protocols between the NHS and other countries. There is so much detail.

One thing we are concerned about is that those details are not part of the public discourse. The media do not seem to have grasped a lot of those issues, and even a lot of the politicians on both sides of the border do not grasp the complications and how detailed it is.

So, the Northern Ireland/Ireland strand would certainly be one thing. I suppose also then tying down what the Good Friday agreement means in the different relationships, structures and funding programmes would be another one. I can come back to the funding programmes, and I know there is a question on that, so I will not go into it too much. It is not just about PEACE and Interreg, which have been talked about in the 8 December agreement.

- Q86 Lord Selkirk of Douglas:** May I ask a question relating to EU funding in perhaps greater depth? Perhaps I should explain that several years ago we visited Stormont and one issue that came up was EU funding for infrastructure projects. At that time there was a lot of anxiety that these should go ahead. Do you know the up-to-date position, especially since the December agreement? What impact has EU funding had on both sides of the border and in building cross-border relations? It has been put to us that the impact of EU funding is overstated. Is that fair or unfair?

**Gina McIntyre:** You probably know my answer to that before I begin. I can understand why anybody may say that, because they may not see the economic advantage, or whatever, of these programmes, but I believe that anybody who says that the impact of the EU funding is overstated does not understand the programmes fully. They do not fully appreciate what they do and that they are not job creation programmes.

The Interreg programme is one of 60 programmes throughout the whole of Europe. It is there to deal specifically with issues relating to borders. The projects that we fund through Interreg are absolutely fantastic in the areas of research and innovation, cross-border healthcare, transport links and environmental sustainability. The areas of health and life sciences and renewable energy are where we also look at the research and innovation directly with SMEs.

The impact of the Interreg programme is a little easier to grasp. It is very concrete and a lot of academic institutions are involved in it and are doing unbelievable work. The Interreg programme includes the west of Scotland. We have one project with the University of the West of Scotland, Queen's University and Dundalk Institute of Technology, which is in the south, to look at the lung disease COPD. They employ 19 PhD research students, which they believe they have because they have come together. They would never have had the opportunity or the funding to come together and do this piece of work—each had expertise in certain areas. They believe strongly that this project could have not only a

European impact but a global impact if they find the solutions. All our research has to be related to industry and a hope to go commercial. So, the Interreg programme is probably a little more easily understood because it is quite concrete and hard in its outputs, but it is not there to create jobs.

The PEACE programme is a completely different programme that is all about community and social cohesion. I believe—and I have been in EU funding programmes for many years now, almost 20 years working in this area—and know that the impacts of the PEACE programme are too great to be stated, let alone ever overstated. We will never fully grasp some of the impacts that have been made on people's lives, changing their attitudes and maybe helping them make a decision that they would have made differently the year before. We have absolutely fantastic projects running with children and young people, especially those who are the hardest to reach, the most disadvantaged and the ones most at risk of turning to anti-social or indeed dissident behaviour. We have programmes to engage with young people that will enable them to have some respect for themselves, build their confidence and dignity and engage with others of a different community who live in their own community. They do this through many mediums: sports, walking and so on.

We have programmes for victims and survivors. Indeed, I heard only recently from the Commissioner for Victims and Survivors for Northern Ireland of somebody who came a long way. It is a specific programme aimed at health and well-being for victims and survivors, and they were only able now to come along, 20 years later—they had been victims in the Troubles—when they realised they needed some help and counselling. They came along only in the last few months.

These programmes have reached hundreds and thousands of people over their lifetime; £2.2 billion has been invested in the region. The PEACE programme is unique across the whole of Europe. It is not anywhere else. That said, lessons can be learned from our PEACE programme that could be replicated across areas with their own difficulties in Europe.

It would be totally unfair to say that these programmes are overstated. The cross-border nature of the programmes is well researched, well documented and well evaluated, not just by us but by eminent researchers across the whole of Europe. They see the benefits of cross-border working in bringing together partners, knowledge transfer, know-how and being able to do things they could not have done before. Even in the area of healthcare, there is a critical mass that was not there before. Even SMEs work together; they are not in competition, they work together because they see the benefits.

I will pass this diagram around. It is a pictorial diagram that we did quite recently. This is from the programmes that we know, projects in Northern Ireland that have been involved in the PEACE programme and the Interreg programme, and that went on to make connections across Europe and indeed across the world, because the one added benefit,

above all, of the money that has been provided is the change in attitude in this region. People started to open their minds to their neighbours who were in the next street or the neighbours across the border—and, as you can see, the neighbours across the whole of Europe—and share their experiences. You cannot put a price on any of that.

**Lord Selkirk of Douglas:** Thank you very much for that answer. It appears from what you are saying that reassurances are well founded and that this has overall been a complete success.

**Gina McIntyre:** Absolutely.

**Lord Selkirk of Douglas:** It is very reassuring.

**Ruth Taillon:** Maybe I could be brief on PEACE and Interreg because Gina has said a lot of what needs to be said.

It is important to stress how important those two programmes have been in normalising cross-border co-operation across all sectors—between local government and national and regional governments, providing opportunities for relationships with other regions as well, particularly in cross-border co-operation. The two programmes have, depending on the programme, been 25% or 15% supported by the two national governments. One thing we have been arguing since the referendum was called is the need for that sort of programme between our islands, not necessarily funded by Europe but certainly to do a lot of the same sort of thing and allow relationships and projects to be built.

I wanted to put more stress on things such as the differences that not only the cross-border programmes but the structural fund programmes have brought. You will probably be aware of the statistic, for instance, that 87% of farm income in Northern Ireland is directly provided by European subsidies. The other side of the discussion around the CAP is the rural development programme, which has been focused very much on maintenance and the sustainability of rural communities. It is a very different approach from the competitive, market-driven things. It is about maintaining the land and keeping it from becoming derelict, keeping people and those rural economies going, keeping people in their own communities and not having to emigrate. That programme has been very important.

The political culture has changed in this country over the last 20 years or so because of the different way the European programmes operate. We have had the partnership principle and we have had an emphasis on community development approaches—things that were not part of the political culture before the European programmes came in. Aside from the importance of all the work that has been done on the outcomes of the peace projects and that sort of thing, it is very important to look. We did not have that kind of relationship between civic society and local authorities, for instance, and people were not consulted on things. Aside from encouraging people to do cross-community work, because the money was there, or cross-border work, the European programmes have

changed the way people and government, at its different levels, relate to people in the community. That has been very important.

The European Social Fund has been an important source of support and finance for civic society projects to help train people. A lot of that money has been taken by the departments to do their employment programmes, or whatever, but there has also been space for bottom-up initiatives and innovation. That has been very important. The prospect of losing all the structural funds that have come into Northern Ireland over the last couple of decades is really worrying, especially when we see the sort of pressures on the economy.

**Q87** **Baroness Brown of Cambridge:** In the earlier session we heard about the very high rate of unemployment in Northern Ireland, 28%, but that actually it was not really a resource of employable people but a damaged community from the time of the Troubles. Has any of the PEACE funding been able to be used to address such challenges? By the sound of what you were saying, some of the European Social Fund funding has been able to be put towards addressing the needs of that group of people, and indeed potentially their children. Will you comment on that?

**Gina McIntyre:** I will comment in relation to the PEACE programme. Certainly, you are absolutely right: there is a high rate of unemployment, particularly among young people. This region in Northern Ireland and the border region has a high degree of young people, much higher than other regions. That is why the PEACE programme in particular has been focused on children and young people. It is the young people who are hard to reach, those people who are in their communities who are not yet even at the stage where they could join an ESF programme. This is why we have to put so much effort and money into these projects, to get those young people to at least have some respect for themselves. That is what we have been doing through the medium of, as I said, football, sports, arts, culture, or whatever it may be—to get those young people to come out, meet their neighbours and realise that the person who is in a similar situation to them in another community is exactly the same as them. It would honestly do your heart good if you went to meet some of the young people who have been involved with those programmes, who really saw the benefits and did change their lives. I see some of them who have ended up going back to college to do youth work, maybe, or community or sports work. It really is a credit to the work that their leaders put in there.

Ruth mentioned the partnership principle earlier, which has been a vital part of these programmes because we have been able to bring partners together from every element of society. These programmes are not delivered from the top down. They came from the bottom up—a consultative approach. We just facilitate gathering all the information from the local community about what they need: what do they say they really need in their community. We bring that through the authorities, we speak with government departments in both regions, in Northern Ireland and Ireland—and in the case of Interreg Scotland—and join together the pieces of what their priorities are for the region and deliver the

programmes within that context. They are very much grounded in the policies and priorities of the region; such policies would be about young people and their unemployment and we would try to facilitate getting young people into employment.

The programmes themselves are a testament to partnership. They are co-operation programmes, both Interreg and PEACE, between the Northern Ireland Executive, the Irish Government and the EU, but they are co-operation documents and they have been signed off by both of them and approved. This is what they want to see in this region.

**The Chairman:** Thank you. That has been very helpful. I think I am right in saying that the questions we have to come are verging on the political, and, Gina McIntyre, you may prefer not to have them directed at you, so they are primarily for Ruth Taillon. If you felt you wanted to come in on any of them, you are very welcome to do so.

**Q88 Lord Whitty:** We had an agreement in December and we have the basis of the withdrawal treaty. Are you confident that there is enough there in relation to citizens' rights, including general citizens' rights, the rights of the people of Northern Ireland to British and Irish citizenship, and the rights to movement and what relates to the common travel area—all those movement and citizenship rights? Do we have enough so far for us to be confident that those are being preserved or enhanced, or do you think we need something more substantive?

**Ruth Taillon:** A few things need to be copper-fastened. Maybe this is a personal opinion, but there is an issue because there has been so much dissension already about what has been signed off. In December, it was not even Christmas before things were being contested again. They have to be put into legally binding language as quickly as possible and signed off in that sense. There is a lot in there about the Good Friday agreement in all its parts, but there are references in the Good Friday agreement to the convention on human rights, for instance. Again, this is the contradiction between what has been said about regulatory agreement on the island of Ireland and what has been posed about what sort of Brexit we might expect. Those things need to be explicit and written in careful language.

The same goes for the common travel area protocols and assumptions. A lot of that has been custom and practice, maybe, and there have been different bits of legislation. Again, those need to be very much embedded within the withdrawal agreement.

Finally, in recognising some of the rights of citizens, I do not know if you are aware, but there have been a few issues recently, for instance, of people with Irish passports resident in Northern Ireland applying for visas for visitors. In one case recently in Derry, they have been trying to get the spouse's visa—he is an American—but she refuses to take a British passport to make the application to the Home Office. There are these contradictions where maybe foreign affairs do not know what the Home Office is doing. Those things need to be addressed and copper-fastened.

As I said in the context of our citizens' mobility information service, those are precisely the kinds of myriad contradictory individual cases that we are going to have after Brexit when people really find that the departments do not know what their entitlements should be. As much as possible must be written down and made legally binding and very explicit in the withdrawal treaty, and people need to understand that, because I think it has not been made clear to a lot of people. There has been a lot of conflation of the withdrawal discussions and negotiations and the future relationship negotiations. I do not think it is very helpful, whichever side of the debate you are on—pro or anti Brexit—to future relationships and going forward if people have those kinds of misunderstandings.

**The Chairman:** Do you want to say anything?

**Gina McIntyre:** No.

Q89 **Baroness Suttie:** Somewhere in this building—I think it is just along the corridor—discussions are taking place to see whether they can re-establish the Executive. The power-sharing institutions have now been suspended for a year. Do you have any creative suggestions or otherwise on how the wider political and non-political community can feed into the Brexit negotiations during this period where there is a democratic deficit?

**Ruth Taillon:** Great praise has to be given to the Irish Government for their civic dialogue exercise, which was excellent and is still going on because they have agreed to keep it going. That has been a great example of pulling people in, and it has been an all-island dialogue. Unfortunately, because of the politics of this place, not everybody has participated in it. It could be a model for a similar exercise on this side of the border. It does not have to be convened by the Government—it can be convened through some other auspices—but I think it is very important, especially on this side of the border, where there is a lot of misunderstanding. It would allow people in communities who may be quite alienated from the whole European debate and do not see themselves as part of Europe in the same sense to have that sort of discussion, in which people can feed in, which is important.

It is critical that the institutions of the Good Friday agreement—the British-Irish Council and the parliamentary Assembly—are given an injection of vigour so that they can play much more of a role. In that sense, I do not think it is good enough to have Northern Ireland represented by a high-level civil servant. There needs to be some other formalised way, whether it is through local authorities or political parties. I am not sure how that could be done, but it is very important that ordinary people have a way of feeding that up through the system.

On the benefits of the PEACE programme, one thing we certainly have seen in the past when this institution was suspended was just how important those projects on the ground were in maintaining some sort of stability. That is worth keeping in mind because we are very frustrated that there is no government. I know there are huge issues about why

there is not, but, given that it is coinciding with the Brexit discussions, it is a disaster.

**The Chairman:** Is that just a kind of Stormont issue, or in your workings on the ground, as it were, and in projects and so on do you get a feeling that people mind or care much? I am intrigued. We are rather used to things, being in a Westminster bubble; when you get outside it, you find it does not seem important to people.

**Ruth Taillon:** Some people do not see it. They just think that life is going on. In civic society organisations people who are involved in community politics, for instance, would be very conscious of being up against the fact that there are no Ministers and no ministerial decisions. Certainly, our centre is in that situation. Again, that will have big impacts. There being no Ministers, we do not have a North South Ministerial Council functioning at a cross-border level. Those things are critical. If you went out into the street, some people would probably say "A plague on all their houses" and so on, but—

**The Chairman:** It matters

**Ruth Taillon:** It does matter.

**Baroness Suttie:** May I ask you both—I appreciate you are politically restricted—how you, personally, in your organisations have fed in your Brexit concerns going forward post Brexit? To whom and how have you fed them?

**Gina McIntyre:** From our programme point of view, we would have been asked for regular input by the Irish Government and through our sponsor departments at both the Department of Finance in the Northern Ireland Executive and—

**Baroness Suttie:** Through the Civil Service.

**Gina McIntyre:** The Civil Service is where we would have fed it in and it would have asked us for reports and papers on the impact. It fully understood the potential risk to the programmes and everything that went with it, yes.

**Ruth Taillon:** We have given evidence and submitted it to House of Commons Committees and to you and other House of Lords Committees. The all-island civic dialogue run by the Irish Government has been very important for us. We have engaged with that at different levels quite thoroughly and, to a certain extent, through the Scottish Government, who have also shown quite a lot of interest in what is happening here. We have been trying to do that and it has spurred our awareness of how much relationship-building needs to be done with the other island that has maybe not been done, because we had European funding, so we made our relationships with other border regions and with other countries in Europe. We kind of assumed that we did not need to build the relationships with Britain and we have discovered over the last two years that that has been a real gap, and it has been quite important.

**Q90 Baroness Wilcox:** Once again, Gina, respond if you wish. Events in the lead-up to the December European Council have placed north/south and east/west relations under strain. What needs to be done to ensure that effective intergovernmental relations are maintained during the Brexit negotiations, and afterwards?

**Ruth Taillon:** In the first instance, it is very important, and it was in the 8 December report, that the obligations of Ireland as an EU member state are respected and understood. Some of the aggression shown towards Ireland and the Irish Government at different times on positions that were being put forward has been very concerning. That sort of misleadership does not help the public discourse and things at a community level.

The co-operation mechanisms under the Good Friday agreement, as I said, need to be revitalised, and that is at all sorts of different levels. I know, for instance, that the Tánaiste was commenting at one of the consultations that he finds it very difficult to make the case for the Good Friday agreement in all its parts when we are sitting here with a major part of it not functioning. Hopefully, that will be restored.

We made a number of recommendations back in October 2016 for a number of programmes, not only for PEACE and Interreg to be continued, but, for instance, that we need a new programme for these islands, whoever is going to finance and support that.

Resources need to be available to maintain those kinds of relationships. Local authorities have depended very much on EU funding to institutionalise, where previously some of the cross-border co-operation was very fragmented and almost at an amateur level. That has been institutionalised and embedded because that Interreg money mostly has been available for local government to do things at a different level than they would otherwise have done. We talked about the funding programmes before.

**Gina McIntyre:** I agree with you and would add that the funding programmes have been very important. They have normalised cross-border work. They gave a very strategic upscaling to the work that was happening beforehand, albeit on a more ad hoc basis. I tend to be more optimistic—maybe that is just me all the time—but I believe that the programmes, as I mentioned earlier, were co-operation agreements and they have been delivered for 20 years, north/south. Therefore, I hope that we will go on and be able to do that with or without EU funding, which speaks to Ruth's point. The co-operation is there, the will is there, and the people want and need the money.

Indeed, our Interreg programme is one of the top three in the whole of Europe out of the 60 committed, which demonstrates the need. This is not about money-chasing projects; it is quite the reverse. This is about the fact that we do not have enough money in Interreg to fund all the good projects that come to our door. I would be more optimistic and think they have been able to do it for 20 years when there have been

many bumps along the way. As Ruth said, in 2002-2007 the institutions were not operating here but the funding decisions were still being taken and the local representatives sat round the table, because it is all part of the programmes. They bring together in partnership politicians, local representatives, the business community, voluntary and trade unions, and we make the decisions transparently. We have got through those bumps, so let us just hope that we can do that again.

**Baroness Wilcox:** It is very empowering.

**The Chairman:** Thank you very much indeed, both of you. Thank you for ending on an optimistic note. Not everything that we have heard in the last couple of days has been optimistic, but it is good to hear that. We are very grateful to you both for giving evidence to us. It has been a huge help to us, so thank you very much indeed.

**Ruth Taillon:** Good luck on the Glenshane pass on your way to Derry in the snow—safe journey, as they say.