



Foreign, Commonwealth
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The Rt Hon Simon Hoare MP
Chair, Northern Ireland Affairs Committee
House of Commons
London
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13 June 2022

Dear Simon,

Northern Ireland Protocol Bill

Today I introduced the Northern Ireland Protocol Bill to fix parts of the Northern Ireland Protocol – making the changes necessary to uphold the Belfast (Good Friday) Agreement. We have spoken about the Government's plans for this and whilst I recognise your concerns about the approach taken I hope you, particularly as chair of the Northern Ireland Select Committee, will agree on the challenges facing Northern Ireland and the need for a solution.

The Bill will allow the Government to address the practical problems the Protocol has created in Northern Ireland in four key areas – burdensome customs processes, inflexible regulation, tax and spend discrepancies and democratic governance issues.

These problems include disruption and diversion to trade and significant costs and bureaucracy for business. They are undermining all three strands of the Belfast (Good Friday) Agreement and have led to the collapse of the power-sharing arrangements at Stormont.

Our preference remains for a negotiated solution with our European partners. However, the EU has not so far agreed to change the Protocol – and that is needed to secure the improvements we need for Northern Ireland. For example, the Protocol bakes in the need to implement the EU's customs code on trade between Great Britain and Northern Ireland, and the rigid application of EU VAT and subsidy rules.

We have extensively explored the EU's proposals which fall short of amending the Protocol. After more than 300 hours of discussions between October and March, we have regrettably not been able to find a way forward. The suggestions they have presented do not address the core problems created by the Protocol. They would be worse than the status quo, requiring more paperwork and checks than today because the Protocol is not fully in force.

Our door remains open if the EU recognises the need for more fundamental change – and the provisions of the Bill I am introducing today allow any agreement to be incorporated. But that will mean providing their negotiators with a new mandate.

As the Government of the whole United Kingdom, it is our duty to take the necessary steps to preserve peace and stability. We cannot allow this to drift.

The legislation enables the government to bring forward durable solutions in each of the four key areas – while safeguarding the EU Single Market so the EU is not left any worse off – and ensuring there is no hard border on the island of Ireland.

The Bill provides for:

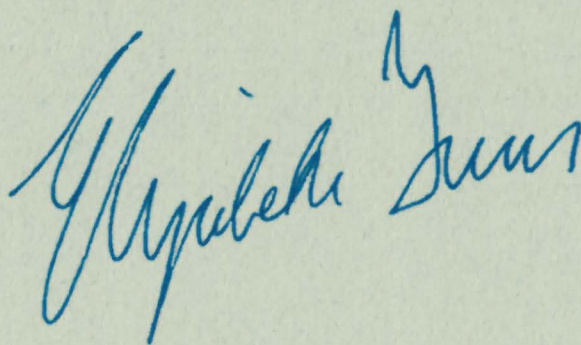
- Green and red channels to remove unnecessary costs and paperwork for businesses trading within the UK, while ensuring necessary checks are done for goods entering the EU.
- Businesses to have the choice of placing goods on the market in Northern Ireland according to either EU or UK goods rules, to address divergence between goods produced in Northern Ireland and Great Britain.
- NI businesses and consumers to benefit from the same support and subsidies as the rest of the UK.
- Normalised governance so disputes are resolved by independent arbitration and not by the court of one of the parties.

These changes will be underpinned by a Trusted Trader scheme and real-time data sharing to give the EU confidence that goods intended for Northern Ireland are not entering its market. The legislation also ensures goods moving between Great Britain and the EU are subject to EU checks and customs controls.

The UK's solution protects the elements of the Protocol that are working, including maintaining free flow of North-South trade, the UK's commitments to no diminution of human rights and the Common Travel Area.

This Bill is lawful and justified under the international law and a statement of the Government's legal position has been published alongside the Bill.

A summary of the main provisions of the Bill is annexed, and we have published a 'UK Solution' explainer document setting out each of the proposals in detail.

A handwritten signature in blue ink, appearing to read 'Elizabeth Truss', is written in a cursive style.

THE RT HON ELIZABETH TRUSS MP