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Sir Robert Buckland KC MP
Chair of the Northern Ireland Affairs Committee
By email: NORTHIRCOM@parliament.uk

08 May 2024
Our reference: MC/24/109

Dear Robert,

Thank you for your letter of 16 April.

I am writing to provide clarification on the Common Travel Area (CTA) agreement which, at over a century old, confers rights on British and Irish citizens reciprocally to enjoy the right to travel, live and work, study, access health and welfare services, and vote in local, Assembly and Parliamentary elections. The CTA encompasses the UK, the Crown Dependencies and Ireland.

In a 2019 Memorandum of Understanding, the UK and Irish governments reinforced their joint commitment to maintaining the CTA and the associated rights and privileges, in all circumstances.

You may have seen recent media reports which referred to the Irish Government deploying Gardaí to the Northern Ireland/Ireland border. I was pleased to be able to quickly clarify with the Tánaiste that the Irish Government will not deploy officers to the border, and to reiterate the UK and Irish Government's shared and steadfast commitment to securing the external border of the CTA.

You have asked about the CTA rights of legal residents in Northern Ireland, citing an example of Chinese and Indian residents. The CTA's arrangements and rights apply to citizens of the UK and Ireland only. Other nationalities entering the UK via the CTA, including EU nationals, remain subject to national immigration requirements.

However, people are able to travel between the UK and Ireland without passing through a routine immigration control, with no immigration controls whatsoever on the Ireland-Northern Ireland land border. Despite this, non-UK and Irish citizens, including those who are legally resident in the UK or Ireland, must still meet the UK's immigration framework, and must check if they are subject to visa requirements when travelling within the CTA.

Your letter also raised concerns in relation to tourism access for "legal residents of Northern Ireland who are not British, Irish or European citizens". I can confirm that individuals wishing to travel to Ireland for tourism purposes, are required to comply with Ireland's immigration rules, which, depending on nationality, may include the need to obtain a visa. I note your point about alignment with the British Irish Visa Scheme (BIVS) which allows access between the UK and Ireland for tourism. However, I must highlight that the BIVS visa is limited to Indian and Chinese nationals visiting the UK or Ireland for a short period only; it does not encompass residents or other nationalities.

As you may be aware, on 25 October 2023, the Government launched the UK's Electronic Travel Authorisation (ETA) scheme to secure our borders and make the UK safer. The ETA scheme will broadly apply to visitors who do not need a visa for short stays and who do not have any other UK immigration status prior to travelling to the UK, closing the current gap in advance permissions. Although, it is important to note that third country nationals who are legally resident in Ireland are exempt from the ETA requirement for journeys within the CTA. In order to benefit from this exemption, residents will be required to use physical evidence which demonstrates that they are legally resident in Ireland. The Home Office, who lead on these issues, has published guidance on acceptable physical evidence.

I hope this has provided clarification on the rights the CTA confers on citizens of the UK and Ireland, and the Government's arrangements for visitors to the UK.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chris', written in a cursive style.

**THE RT HON CHRIS HEATON-HARRIS MP
SECRETARY OF STATE FOR NORTHERN IRELAND**