



How to fix the Northern Ireland Protocol

by Hilary Benn, 8 September 2022

In a new Centre for European Reform policy brief, '[How to fix the Northern Ireland Protocol](#)', Hilary Benn MP argues that the UK and the EU need to work together in good faith to fix the Protocol. Compromises on the main issues are within reach as long as the two sides are prepared come back to the negotiating table.

Benn argues that the UK government's current approach to resolving the problems with the Northern Ireland Protocol has been counterproductive and has further undermined trust. But there are problems with the Protocol: some businesses in Britain and Northern Ireland are losing out, and the refusal of the Democratic Unionist Party to join the Northern Ireland Executive or allow the Assembly to meet means that the political institutions of Northern Ireland are not functioning, and other pressing issues are not being addressed.

Compromises are achievable.

The EU should:

- ★ Accept that just ending the 'grace periods' – which mean that some checks on goods are not being carried out – and implementing Commissioner Šefčovič's proposals would make the situation worse, because these proposals would mean more checks than there are now. Further movement from the EU is needed.
- ★ Accept that most supermarket supply chains pose no risk to the integrity of the EU internal market and should allow for few-to-no checks.
- ★ Accept that limited divergence by the UK from EU standards and rules for products sold in Northern Ireland should not in practice create risks for EU consumers, and that a veterinary agreement – possibly based on equivalence - would help considerably.

The UK should:

- ★ Drop the Northern Ireland Protocol Bill, which is currently making negotiations with the EU impossible, including its confusing proposal that businesses in Northern Ireland should be able to choose between making things according to EU regulations and standards, or to UK ones.
- ★ Acknowledge that many Northern Ireland businesses welcome the access to the EU single market that the Protocol gives them and that they will want to stay in step with new EU rules and standards, so they can buy and sell in a market of 450 million people.
- ★ Propose a more far-reaching consultation mechanism for new EU laws applying to Northern Ireland.

Both sides should be willing to compromise on issues like how the green/express lanes would work, the sharing of information, VAT, state aid and governance.

In the paper, Benn says the arguments over the Protocol must not be allowed to drag on. The longer they persist, the more likely they are to cause political instability and economic disruption on the island of Ireland. But if the arguments can be resolved, the UK and the EU can start to build a more constructive relationship.

Hilary Benn, author of the report, said *"The issues between the EU and the UK can all be solved with effort and ingenuity. What is missing is trust and political will, and it's in neither side's interests to carry on like this. The UK and the EU will both have to compromise. Until they do, there is little chance of building the new economic and political relationship needed to mitigate the effects of Brexit."*

Note for editors:

Hilary Benn is MP for Leeds Central and Co-Convenor of the [UK Trade and Business Commission](#).

For further information on the new research, please contact Rosie Giorgi in the CER press office on pressoffice@cer.eu or +44 (0) 20 7233 1199.

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