

## IRISH LED DISCUSSIONS ON TRANSITING THE UK LAND BRIDGE

In the course of 2018, the Irish government began exploring arrangements with the UK government to allow the continued use of the *'the UK as a "land bridge" for goods in transit to Dublin without border checks'*. This would see goods undergo checks in Calais, be 'sealed' and then be allowed transit to Ireland via Calais and Holyhead without any need for further customs checks.

This is seen as important since *'customs declaration forms were long and detailed'*, with **54 areas** to be addressed and with this being *'not just a box-ticking exercise declaring goods and their origin and destination'*<sup>1</sup>. Such arrangements would mean that EU27 goods destined for Ireland would have been checked at an EU border and hence this would preserve the integrity of the single market<sup>2</sup>.

According to the Irish Governments July 2019 **'Preparing for the withdrawal of the United Kingdom from the European Union: Contingency Action Plan Update'** *'an agreed understanding has been reached on the continued use of the land bridge under the internal transit procedure'*.

However, it was highlighted how *'work continues at a technical level to provide absolute clarity on the application of certain EU rules and procedures regarding SPS controls on animals and products of animal origin'*<sup>3</sup>.

**It is unclear whether work has been completed on the phytosanitary requirements for use of the UK 'land bridge' for high-risk non-animal products.**

Assurances will be needed regarding what the phytosanitary requirements will be for 3rd country products using the UK 'land bridge' which have already been cleared by a mainland EU phytosanitary authority.

Ideally from an ACP perspective, no additional UK controls should be required on horticultural products in transit to the Republic of Ireland via the UK 'land bridge'. Given that the UK government has committed to adhering to the EU's SPS regime and controls in trade in EU27 originating goods, this should prove a relatively easy ask.

These discussions are consistent with Chief Negotiator Barnier's efforts to **de-politicise the Irish border** issue by focussing on 'nuts and bolts' issue.

Addressing a Parliamentary select committee in the UK in September 2018 Chief Negotiator Barnier emphasised his desire to *'look at the individual controls that are necessary'* and to see *'how and when and where these controls would take place'*. He argued before the Committee that such controls *'could be dispersed. They could take place in different places, onboard vessels, in ports outside Ireland, they could be done using technological means'*<sup>2</sup>. The EU is thus open to pragmatic solutions which maintain the integrity of the EU single market.

1 Source: The Guardian, 'Ireland seeking Brexit side deal with EU to avoid border checks', 6 September 2018  
<https://www.theguardian.com/politics/2018/sep/06/ireland-hopes-side-deal-with-eu-could-allow-it-friction-free-trade-across-border>

2 The Guardian, 'Brexit secretary under fire from Michel Barnier over Irish border issue', 8 September 2018  
<https://www.theguardian.com/politics/2018/sep/07/brexit-secretary-under-fire-from-michel-barnier-on-irish-border-issue>

3 Government of Ireland, Preparing for the withdrawal of the United Kingdom from the European Union: Contingency Action Plan Update, July 2019  
<file:///F:/1%201%20COLEACP%202019/Source%20documents/New%20routes%20to%20Ireland/Contingency-Action-Plan-Update.-July-2019.pdf>