



Council of the European Union
General Secretariat

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WORKING PAPER

NOTE

From:	General Secretariat of the Council
To:	Ad hoc Working Party on Article 50
Subject:	Dialogue on Ireland/Northern Ireland

Delegations will find attached a paper on Dialogue on Ireland/Northern Ireland.

Dialogue on Ireland/Northern Ireland

- At the last round, agreement was reached in principle on **joint principles on the Common Travel Area** which aim to recognise an existing bilateral arrangement between the UK and Ireland (currently done in Protocol 20 of the Treaty). These recall the background and context of the Common Travel Area Arrangements and take the new situation after withdrawal into account by stating that
 - the United Kingdom and Ireland may continue to make arrangements between themselves relating to the movement of persons between their territories ("the Common Travel Area"), while fully respecting the rights of natural persons conferred by Union law.
 - the United Kingdom has provided a clear reassurance that the Common Travel Area and associated rights and privileges can continue to operate without affecting Ireland's obligations under Union law, in particular with respect to free movement for EU citizens.
- Since the last round, intensive work has been carried out with the objective of **mapping the potential impact of UK withdrawal on ongoing North South cooperation on the island of Ireland**. North South cooperation is a central part of the Good Friday Agreement. Both sides agree that such cooperation should be protected across all the relevant sectors, and that to arrive at a common understanding of the potential risks resulting from UK withdrawal for this cooperation, this joint exercise has been useful.
- In the context of this mapping exercise, the six North-South Implementation Bodies, the six areas for cooperation and implementation agreed by the North-South Ministerial Council (NSMC) as well as a first set of the seven priority areas agreed by the NSMC at its last meeting in November 2016 are under continuing examination. (These include environment, health, agriculture, transport, education/higher education, tourism, energy, telecommunications/broadcasting, inland fisheries, justice and security, and sport.)
- Conclusions and recommendations from this exercise will be elaborated and shared once we have worked through all policy areas. Already prior to undertaking this exercise, the **EU's guiding principles underlined that an important part of political, economic, security, societal and agricultural activity on the island of Ireland currently operates on a cross-border basis, underpinned by joint EU membership of the UK and Ireland**.
- The EU and the UK have committed to protecting and supporting the continuation and development of this cooperation and of the functioning of the institutions established by the Good Friday Agreement in the context of the Withdrawal Agreement. Achieving this must be done in a way that respects the integrity of the internal market and the Customs Union of which Ireland will remain a full member.
- It consequently seems essential for the **UK to commit to ensuring that a hard border on the island of Ireland is avoided, including by ensuring no emergence of regulatory divergence from those rules of the internal market and the Customs Union which are (or may be in the future) necessary for meaningful North South cooperation, the all-island economy and the protection of the Good Friday Agreement**.