

The Protocol. Parliament needs some answers

I reproduce below the worries the European Scrutiny Committee has concerning the Northern Ireland Protocol, which are similar to the issues I have raised with the government:

Areas of concern

22. Our invitation to the Prime Minister remains open and we can flexibly accommodate

his appearance over the course of the coming week. We have identified a number of

significant areas of concern about which the House should be further informed. These

include:

- the amount and extent of EU law that would remain applicable in Northern Ireland under the Windsor Framework;
- the operation of the 'Stormont Brake' and whether it would act effectively as a

full stop on new EU law which amends or replaces EU law applicable in Northern

Ireland, or whether it merely amounts to the insertion of an additional process

into the current schema, as created by the Northern Ireland Protocol;

- the operation of 'red' and 'green' lanes and the practical implications of the

Windsor Framework for the people and businesses of Northern Ireland and the extent of CJEU jurisdiction over these;

- how, if at all, the Windsor Framework alters the jurisdiction of the CJEU over

the entirety of the Northern Ireland Protocol, including arrangements for UK/EU arbitration which engage questions on the application and interpretation of

EU law;

- the placing of goods on the Northern Ireland market made to UK, not EU, standards;

- VAT arrangements; and

- how the Windsor Framework deals with the granting of UK State aid.

23. We wrote to the Prime Minister on the first point on 2 March requesting a definitive

list of the EU rules that would remain applicable in Northern Ireland under the terms of

the Windsor Framework.¹⁴ This letter was sent on the back of a commitment the Prime

Minister made to one of our members, Rt Hon. David Jones MP, on 27 February.¹⁵

24. We again urgently request a definitive list of the EU rules that would remain

applicable in Northern Ireland under the terms of the Windsor Framework.

25. We ask that the Government expedite its response to this Report owing to the legal and political significance of the issues it raises.