

That Dáil Éireann:

notes that:

- on 22nd May, 1998, voters in Northern Ireland voted to accept the Good Friday Agreement (GFA) by 71.1 per cent to 28.9 per cent, and in Ireland by 94.39 per cent to 5.61 per cent;
- since the GFA was ratified and the restoration of power-sharing in 2007, the European Union (EU) has been a critical partner for peace, providing substantial political and financial aid, which has led to greater economic and social progress on an all-island basis;
- on 23rd June, 2016, a referendum on the UK's continued membership of the EU took place;
- a majority of voting citizens in Northern Ireland, namely 55.8 per cent, voted to remain in the EU;
- the British Government has now made clear that they will trigger Article 50 of the Lisbon Treaty by the end of March 2017, and begin the exit process, and will also be seeking to leave the single market in a so-called 'hard Brexit'; and
- this situation is unprecedented, as no member state has left the EU and single market before now;

recognises that:

- under the terms of the GFA there is an inherent right for those born on this island to Irish citizenship, and by virtue of that right, citizenship of the EU as well;
- Northern Ireland is being forced to leave the EU against the expressed wishes of its people;
- this represents a major set-back for the political process in Northern Ireland and directly challenges the integrity of the GFA, and will have huge consequences for the protections contained within it, especially the principle of consent;
- the pursuit of a 'hard Brexit' may well impose the amendment of the Northern Ireland Act 1998, which gives legislative competence and authority to the GFA;
- the Oireachtas Joint Committee on European Union Affairs, in its June 2015 report *'UK/EU Future Relationships: Implications for Ireland'*, recommended that 'the Irish and UK Governments negotiate bilaterally to have Northern Ireland recognised (in an EU context) as having "a special position" in the UK, in view of the Good Friday Agreement. Recommends further that special arrangements be negotiated at EU level in that context, to maintain North-South relations and Northern Irish EU citizenship rights and protections attached to such rights.';
- the EU has shown itself to be flexible in coming forward with pragmatic arrangements for dealing with complex territorial situations; and
- a special status relationship for Northern Ireland outside of the EU would do little to deal with the massive political, social and economic challenges thrown up by Brexit;

concludes that:

- a 'hard Brexit' would undermine the institutional, constitutional, and legal integrity and status of the GFA; and
- the GFA political institutions, human rights guarantees, all-Ireland bodies, and the constitutional and legal right of the people to exercise their right to self-determination and a united Ireland through consent, by referendum north and south, must all be protected; and

calls on the Government to negotiate for Northern Ireland to be designated with a special status within the EU, including:

- to secure the ongoing realisation of rights of citizens in Northern Ireland to avail of Irish, and by consequence EU citizenship, further, to uphold all of the rights and responsibilities associated with EU citizenship;

- to ensure that the four freedoms of movement of goods, workers, and capital, and the establishment and freedom to provide services are maintained;
- to protect ongoing access to EU institutions including the European Court of Justice, the European Court of Human Rights, and EU sectoral agreements;
- to protect and ensure full implementation of the GFA and subsequent agreements;
- to maintain future funding streams of PEACE and INTERREG financing, as a central part of consolidating and advancing the peace process;
- to enter any forthcoming negotiations in co-operation with our EU colleagues recognising the vote of the majority of citizens in Northern Ireland to remain within the EU, therefore essentially being forced to leave the EU, and to defend and uphold our national interest on an all-island basis;
- to ensure that the Amsterdam Treaty as it relates to the common travel area between the UK and Ireland, is fully respected and upheld;
- to advocate for the ongoing realisation of the rights of citizens in Northern Ireland through the introduction of a bill of rights for Northern Irish citizens;
- to establish a single Minister for Brexit at Cabinet level tasked with leading a whole-of- Government response to the challenge of Brexit;
- to review and reform North-South and British-Irish institutions to ensure that they are fit for purpose in addressing the challenges and opportunities posed by Brexit;
- to ensure both jurisdictions preserve and expand existing areas of mutual cooperation, including in such areas as access to health services, energy provision, education and trade, particularly the agri-food sector; and
- to report to the Houses of the Oireachtas, on a quarterly basis, regarding developments in the Brexit negotiations with a specific sectoral analysis to inform public debate and ensure genuine accountability.