

Brexit: the litmus test for the ignorati

Wednesday 25 April 2018

Thanks to **Dr R North** for the longer version now edited down and all the hard work.

Conclusion

If the UK so decided, by adopting the full gamut of the EEA *acquis* - which would include across the board abolition of tariffs – and certain other measures, an invisible border between the Republic and Northern Ireland could be secured. But one of those measures is not a customs union, as the EU experience so adequately demonstrates.

Reasons Why

The EU's Customs Union was introduced with the Treaty of Rome in 1957 and completed on 1 June 1968, when the last tariffs on goods moving between member states were abolished.

This has not led to the abolition of frontier posts or the abandonment of border checks as photographic evidence of the continued presence of frontier posts reveals. This picture shows part of very substantial border post straddling the German-Belgian border at Lichtenbusch, near Aachen,

on Bundesautobahn 44 which becomes the E40 on the drive into Belgium, taken in 1979. The facility **exists to this day**, currently pressed into service as a truck stop.

In 1981 the European Commission published **COM(81) final "on the state of the internal market"**. It noted that: **The customs union, the implementation of which is intended to ensure the, internal market, is proving to be increasingly inadequate for ' the achievement of this aim.** The substance, of what has been achieved is instead being, jeopardized and undermined by the fact that old barriers have survived for too long and new barriers have been created.

The Commission went on to observe that, twenty-three years after the founding of the EEC and thirteen years after the Customs Union was set up, the public was "justifiably annoyed" that **customs clearance procedures within the Community were scarcely any different from customs procedures with non-member countries.**

Considering that the objective of a Common Market is integration, it added, the application of customs procedures to goods crossing internal frontiers would seem to be an anachronism dating back to the days before the Community. And on that basis, it began the process of developing the legal framework which would emerge as the Single European Act, leading to the completion of the internal market and the abolition of frontier posts by December 1992.

The undeniable thesis is that the EU's customs union contributed nothing to the abolition of internal frontiers and their attendant border checks as the Commission rejected the idea that revenue collection was a valid and necessary part of border control.

It was the elimination of Non-Tariff issues that required border checks that the Commission concentrated upon.

The Irish Border will not need Border checks for Revenue collection. So, "the customs union is not imperative for Britain's future prosperity."

What is needed therefore is to see what NON-TARIFF BARRIERS can be reduced.eg To what extent should the UK post BREXIT seek to keep those EU regulations, particularly in food and agriculture, needed to reduce the need for hygiene inspections as well as checks for rules of origin.

In order to export live animals and products (including food) to the EU, the exporting nation and its "establishments" must comply with the full gamut of EU regulations. **But compliance alone does not eliminate the need for "hygiene inspection" at the EU's external borders.** Hence the article on the Irish Border and Race Horses set out in concordanceout.eu

Fortunately Mrs May seems to have now agreed to forgo the proposed adoption of a customs union as it would not remove the need for border infrastructure.

[As **Dr R North** has observed, there is a physical border between Sweden and Norway and it owes much to policy decisions taken by both countries which, if made differently, could remove even the vestigial controls that we see today.]

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Thanks to Dr R North for his hard and knowledgeable work. Ed.