
Softening hard borders through tech: Brexit and the Irish border

Gareth Lewis

What is a hard border and when are hard borders required?

Not so long ago, nations, nation states and even individual cities behaved just like medieval castles replete with moats, large walls and extreme caution bordering on paranoia should anybody approach. That perception of ‘the other’ beyond our safe border is still politically and socially potent, but it has long been tempered by an understanding of the economic benefits of open trade. There is a real tension between these two competing views of the border; is it a castle wall to protect us, or is it an ‘imaginary line’ that creates artificial divisions and works against our best interests? As with most complex subjects, there is no simple black versus white answer. The tension that exists between the two extreme positions—living as a hermit state versus total abandonment of any concept of security, safety or other border possibility—is at the heart of trade negotiations, border regulation and even sovereignty itself.

Although we live in a digital age, the idea of a physical border remains. In recent history the Berlin Wall is a prime example, but there are many others, including Hadrian, China and walled cities, not to mention today’s contentious US–Mexico wall. Hard borders are characterised by physical barriers, often military, police or defence, and a relative lack of trust. The hard border is also a conceptual thing—more than a line on a map, it is something described in legislation for example and it is the basis for national border regulatory agencies such as Customs, quarantine and safety officials.

A hard border is needed when there is a lack of trust on one or both sides of that border with respect to the governance, rule of law and safety on the other side. It has always been so and despite today’s advanced technology and moves toward globalism, the concept remains not only valid, but exercised in practice at countless border crossing points globally.

How does technology help manage traffic at hard borders?

The first requirement for effective border management is to adopt a risk-based approach. Not all passengers, ships, aircraft or trucks, cargo consignments or crew present the same levels of risk to society. The trick is to establish those large numbers of transactions that are of zero or negligible risk so that scarce resources can be trained on those that might pose a real threat.

Key to identifying risk is information and this is where modern technology comes to the fore. High-quality electronic information received from the source of the transaction under review allows for early risk assessment, early intervention (if required), and optimal control. For many years, countries have worked with electronic data to mitigate risk but today’s growth in breakthrough technologies—such as blockchain, the Internet of Things (IoT) and data analytics—promise groundbreaking innovation in the ability for the border custodians to better manage risk and consequently, to better manage the border.

This is not something on the radar for tomorrow; it is already happening apace in modern ports, airports and land border crossings where previously unimaginable data sources and data-crunching capabilities are giving the kind of holistic picture of risk that is enabling entirely new ways of managing the ports and dealing with potential physical and other dangers. The concept of the border remains, but the way in which it can be seen and managed in this digital age is very different.

Could technology be used to remove hard borders entirely?

As implied above, this is as much a question of mutual trust and rules of governance on either side of the border. Modern technology is an enabler of better means to evaluate a wide range of factors that have an impact on the safety and security of a border. For example, blockchain technology enables, in theory, far greater certainty in the authentication of data flows between parties operating at arms' length. In turn, this means that there can be greater trust in the quality and reliability of the huge and complex array of information exchanged between commercial and government actors involved in cross-border traffic. In combination with data analytics and artificial intelligence (AI)-enabled IoT devices such as CCTV, scanners, smart seals and other sensors, the possibilities for rapid control of previously impossibly complex scenarios is, in fact, now possible.

This might not remove the need for physical intervention at the border, but modern technology ought to allow the great majority of transactions to be processed behind the scenes with little or no inconvenience to legitimate traders, travellers or any other party involved in crossing the border, while ensuring that any illegitimate activity is identified swiftly and allowing for efficient resource allocation where it matters most.

The short answer to the question posed above is 'no', but a lot of the hassle can be removed.

Brexit and the Irish border

Prior to the United Kingdom (UK) joining the European Union's (EU) Customs Union as part of its accession to the then European Economic Community (EEC) in 1973, a border was already in place between the UK and the independent Irish Republic. This border has been marked through much of the 20th century by the ongoing sectarian divide in Ireland. Joining the customs union meant that there was no longer a regulatory 'imaginary line' between Northern Ireland and the Irish Republic, but nonetheless, a hard border with armed checkpoints remained. In other words, the need for border regulation of cross-border trade had little or nothing to do with the hard border in Ireland. On that basis, if there were a need to reintroduce customs controls (which would be with the 27 member states of the EU, not just with Ireland) under Brexit, then in tandem with the innovations mentioned above and given that in recent years there is excellent trust and cooperation on either side of that border, there would not seem to be any compelling reason to introduce a hard border.

If that were to happen, it would be for political reasons, and not to do with trade management or more mundane border regulation. When considering this point, it is worth bearing in mind that there are several examples of borders in place today that are, in fact, not hard, with Canada/US being a prime example of a technologically enabled soft border (Riley-Smith, 2018).

How feasible is it that a tech solution (together with other elements) could solve the need for a hard border on Northern Ireland/Ireland?

As already explained, high-quality data obtained from source, validated in a blockchain, and automatically analysed using predictive analytics and AI would provide the kind of augmented risk-assessment environment where there would be a high degree of certainty that unsafe or fraudulent activity would be discovered.

The technology would provide assurance in a wide range of controls, not just customs. It would cover dangerous goods, human health and food safety plus all other ordinary border regulatory and control functions to be expected at any international border.

What would those other elements need to be?

Above and beyond technology, the two key determinants for a successfully managed border are mutual trust and a rigorous risk-management regime. There must be appropriate legal backing and the political will to make things work, but as already stressed, trust is the biggest factor.

Conclusions and predictions on the future state of a frictionless, soft border

In summary, Brexit does not necessarily imply the need for a hard border between the UK and the rest of the EU at the border in Ireland—it is much more a question of intergovernmental agreement. There is no reason why a soft border cannot eventuate given the sophisticated technology boasted by both the UK and EU customs authorities, which enables the kind of assurance that has been described elsewhere in this short article.

Despite the current noise on both sides of the Brexit debate, the foundations are in place for a seamless border, and modern innovative technology only makes that enviable outcome ever more plausible.

REFERENCES

Riley-Smith, B. (2018, 10 February). Could Canada's hi-tech border controls provide the answer to Britain's customs union dilemma? *The Telegraph*. Retrieved from <https://www.telegraph.co.uk/news/2018/02/10/could-canadas-hi-tech-border-controls-provide-answer-britains/>

Gareth Lewis



Gareth is an independent trade and customs consultant based in Adelaide, Australia, and a senior research fellow with the Centre for Customs and Excise Studies specialising in the interaction between customs processes, automation and international coordination. He possesses over 30 years' experience in the customs space, having undertaken operational and management roles for customs authorities in numerous locations, including Australian Customs' head office in Canberra and the nation's major port, Melbourne. Subsequently, he worked as Senior Technical Officer at the World Customs Organization (WCO) in Brussels, and currently consults governments, NGOs and private enterprises on customs operations, technology and collaboration.