



Subject:	Update on the Negotiations between the UK and the EU on their future relationship
Date:	11 June 2020
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<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0 Purpose of Report or Summary of main Issues</b>	The purpose of this report is to update Members on the key developments that are currently taking place in relation to the ongoing negotiations on the future relationship between the UK and the EU.
<b>2.0 Recommendations</b>	Members are asked to note this report and to advise if they wish to extend an invite to Professor David Phinnemore to present an update at a future Committee meeting.
<b>3.0 Main report</b>	

### Key Issues

Members will be aware that following the UK's exit from the European Union on the 31<sup>st</sup> January 2020, we entered a transition period that is currently due to end on the 31<sup>st</sup> December 2020. During this period, the UK and the EU will undertake negotiations around their future relationship. The first round of negotiations between the European Union and the United Kingdom took place on the 2<sup>nd</sup> – 5<sup>th</sup> March 2020 in Brussels. Given the ongoing Covid 19 crisis, virtual meetings have replaced the further rounds of planned face-to-face discussions. The second round of discussions took place on the 20<sup>th</sup> - 24<sup>th</sup> April 2020 and the third round of discussions took place on the 11<sup>th</sup> – 15<sup>th</sup> May 2020.

A written statement on the discussions that took place during the period 20<sup>th</sup> - 24<sup>th</sup> April was made by the Cabinet Office on 28<sup>th</sup> April and a copy is available at:

<https://www.parliament.uk/written-questions-answers-statements/written-statement/Commons/2020-04-28/HCWS209>

A copy of the statement made by the EU following the third round of discussions that took place in May can be found at:

[https://ec.europa.eu/commission/presscorner/detail/en/speech\\_20\\_895](https://ec.europa.eu/commission/presscorner/detail/en/speech_20_895)

On the 19th May 2020 the UK government published a number of documents setting out their approach to the future relationship with the European Union. These documents lay out a suite of proposals for their negotiations with the EU. The draft legal texts are the legal articulation of this approach and have formed the basis of discussions with the EU. A copy of these documents can be found at: <https://www.gov.uk/government/publications/our-approach-to-the-future-relationship-with-the-eu>

A further round of discussions took place from 2<sup>nd</sup> - 5<sup>th</sup> June 2020, the agenda for this round of negotiations can be found at: [https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/future-partnership/negotiation-rounds-future-partnership-between-european-union-and-united-kingdom\\_en](https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/future-partnership/negotiation-rounds-future-partnership-between-european-union-and-united-kingdom_en)

### Extension of the transition phase

The current transition period is due to end on 31<sup>st</sup> December 2020. A one-off extension to the transition period is possible. Such an extension can be for no more than two years. It would need to be agreed by a decision of the UK-EU Joint Committee before 1 July 2020. There have been calls from various quarters to extend the transition period given the ongoing Covid 19 crisis. The UK Government's current position is that they will not be requesting an extension.

A briefing paper from the House of Commons Library was published on 20<sup>th</sup> April 2020, which outlines the rules in the Withdrawal Agreement regarding any extension, the domestic ban on

extending the transition and legislating during lockdown. A copy of the paper can be found here:

<https://commonslibrary.parliament.uk/brexit/negotiations/coronavirus-is-it-possible-to-extend-the-brexit-transition-period/>

Within the documents published on the 19th May 2020 the following statement was made:

*'Timing and pace of the negotiations*

*9. The Government will not extend the transition period provided for in the Withdrawal Agreement. This leaves a limited, but sufficient, time for the UK and the EU to reach agreement. The UK is committed to working in a speedy and determined fashion to do so, with an appropriate number of negotiating rounds between now and the June high-level meeting foreseen in the Political Declaration. The Government would hope that, by that point, the broad outline of an agreement would be clear and be capable of being rapidly finalised by September. If that does not seem to be the case at the June meeting, the Government will need to decide whether the UK's attention should move away from negotiations and focus solely on continuing domestic preparations to exit the transition period in an orderly fashion. In so doing, it will be necessary to take into account in particular whether good progress has been possible on the least controversial areas of the negotiations, and whether the various autonomous processes on both sides are proceeding on a technical basis according to agreed deadlines.'*

#### Committee on the Future Relationship with the European Union

Members are advised that a Select Committee on the Future Relationship with the European Union has been established and that The Rt Hon Michael Gove MP appeared before it on Monday 27th April 202. The transcript of the meeting is available at:

<https://committees.parliament.uk/committee/366/committee-on-the-future-relationship-with-the-european-union/publications/>

There was some discussion at this meeting around the situation in Northern Ireland (Q146). There was also a discussion around the recommencing of Operation Yellowhammer (Q230). Mr Gove's response included: *'We do not have any plans to stand up Operation Yellowhammer again, because we are confident that we will secure agreement, but it is the case that the work that was done then has been of value in making us realise how resilient the UK is in certain areas and where work is required to be done in other areas so that we can cope with a variety of challenges.'*

On Wednesday 27th May 2020, held a virtual evidence session, in which it questioned Michael Gove MP, Chancellor of the Duchy of Lancaster, and David Frost, UK Chief Negotiator on the current state of the future relationship negotiations between the UK and

	<p>European Union, following three rounds of discussions. The transcript of this session is available at: <a href="https://committees.parliament.uk/oralevidence/431/pdf/">https://committees.parliament.uk/oralevidence/431/pdf/</a></p> <p>Members attention us drawn to Q234 at which Mr Frost states that the high level review of the negotiations is expected to take place in June. There was also some discussion around trade between Northern Ireland and Great Britain (Q247-250, 287-288 and 321-325).</p>
	<p><u>EU-UK Joint Committee under the Withdrawal Agreement</u></p> <p>The first meeting of the EU-UK Joint Committee under the Withdrawal Agreement took place on Monday 30 March 2020. Due to the coronavirus outbreak, the meeting took place by teleconference. The co-chairs of this Committee are European Commission Vice-President Maroš Šefčovič and the UK Chancellor of the Duchy of Lancaster, the Rt Hon Michael Gove. The NI Executive was represented at this meeting by Junior Ministers Declan Kearney and Gordon Lyons. Information of this Committee can be found at: <a href="https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/eu-uk-withdrawal-agreement/meetings-eu-uk-joint-committee-under-withdrawal-agreement_en">https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/eu-uk-withdrawal-agreement/meetings-eu-uk-joint-committee-under-withdrawal-agreement_en</a></p>
	<p><u>Joint UK and EU Specialised Committee on the Protocol on Ireland/Northern Ireland</u></p> <p>Members are reminded that under the Withdrawal Agreement a Joint UK and EU Specialised Committee on the Protocol on Ireland/Northern Ireland was to be established. It held its first meeting on Thursday 30th April 2020 and comprises government officials rather than politicians. The UK delegation includes the senior Stormont official, Andrew McCormick. Member's attention is drawn to a technical note that the EU published on the 30<sup>th</sup> April 2020 on implementation of the NI/Ireland protocol. This outlines their view on the required implementation measures including in relation to customs and movement of goods. <a href="https://ec.europa.eu/info/sites/info/files/brexit_files/info_site/20200430_note_protocol_ie_ni.pdf">https://ec.europa.eu/info/sites/info/files/brexit_files/info_site/20200430_note_protocol_ie_ni.pdf</a></p> <p>Members will be aware that the UK Government published a command paper on the 20th May that sets out the UK's approach to the Northern Ireland Protocol. A copy of this paper can be found at: <a href="https://www.gov.uk/government/publications/the-uks-approach-to-the-northern-ireland-protocol">https://www.gov.uk/government/publications/the-uks-approach-to-the-northern-ireland-protocol</a></p>
	<p><u>The Committee for the Executive Office</u></p> <p>Members are advised that this Committee held a meeting on Wednesday 13 May 2020, at which they received a Brexit evidence session on the Withdrawal Agreement Joint Committee, from Junior Ministers Declan Kearney and Gordon Lyons. The Junior Ministers provided the Committee with an overview of the remit of the EU-UK Joint Committee under the Withdrawal Agreement and its first meeting, which they had both attended.</p> <p>During the questions from the Committee for the Executive Office members, the Junior Ministers provided information on the ongoing discussions around future trade (N/S and E/W) and the need for physical infrastructure at NI ports. A recording of this meeting can be</p>

	<p>accessed at this link: <a href="https://niassembly.tv/committee-for-the-executive-office-meeting-wednesday-13-may-2020/">https://niassembly.tv/committee-for-the-executive-office-meeting-wednesday-13-may-2020/</a> The discussion around future trade can be found at 50.10 – 1.02 in the recording of the meeting.</p>
	<p><u>Next steps</u></p> <p>Members are advised that Officers will continue to keep a watching brief on the progress of the negotiations and will update Committee as appropriate.</p> <p>Members are reminded that David Phinnemore, Professor of European Politics, Queen's University Belfast has previously attended this Committee to provide Members with an update around the Withdrawal Agreement. If Members are so minded, Officers will invite Professor Phinnemore to attend a future meeting of the Committee to update them on the current position re the implementation of the Withdrawal Agreement.</p> <p>Members are also advised that Officers continue to work with key partners including DAERA and the Food Standards Agency around the future requirements at the Port. A report updating Members on the progress of this work will be brought to Committee in due course.</p>
	<p><u>Financial &amp; Resource Implications</u></p> <p>There are no financial or resource implications relating to this report.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no implications relating to this report.</p>
	<p><b>Appendices</b></p> <p>None</p>