

General update to the TEO Committee on EU Exit matters.

JOINT COMMITTEE/SPECIALISED COMMITTEE

1. The New Decade New Approach (NDNA) includes a commitment from the UK Government to ensure that NI Executive representatives are invited to take part in meetings of the Joint Committee and Specialised Committee at which Northern Ireland specific matters are discussed, and at which representatives from the Irish Government attend as part of the EU delegation.
2. The second meeting of the Joint Committee, which is required to oversee the implementation of the Withdrawal Agreement took place on 12th June. The meeting was co-chaired by the Chancellor of the Duchy of Lancaster, the Rt. Hon. Michael Gove M.P. and European Commission Vice-President Maroš Šefčovič. The NI Executive was represented by First Minister Arlene Foster (MLA), deputy First Minister Michelle O'Neill (MLA), Junior Minister Gordon Lyons (MLA) and Junior Minister Declan Kearney (MLA).
3. The meeting took place remotely. The Committee discussion focussed on a stocktake of the meetings of the six specialised committees and an update on the implementation of the Withdrawal Agreement more generally. The agenda for the meeting is attached as Annex B.
4. The UK Government also took the opportunity provided at the second meeting to reiterate that it would not seek to extend the transition period beyond 31 December 2020, but they remain hopeful that a deal will be agreed.
5. The Joint Committee also agreed to accelerate the work of the Specialised Committees. As a result, it is expected that a meeting of the Ireland / Northern

Ireland Specialised Committee will take place in the coming weeks. The Joint Committee agreed to next meet again in September.

UK-EU FUTURE RELATIONSHIP NEGOTIATIONS

6. The fourth formal negotiating round on the future relationship between the UK and EU concluded on 5 June.
7. On 15 June, the Prime Minister took part in a high level stocktake meeting with the President of the Commission, Ursula von der Leyen, President of the Council, Charles Michel, and President of the European Parliament David Sassoli.
8. We understand that the purpose of this meeting was to assess the progress of the negotiations that have taken place between March and June, and to engage in political discussions on the continuing areas of divergence. As a result of this meeting the UK and EU have committed to intensify the negotiations with a view to reaching a deal as soon as possible.
9. The revised negotiating process will be a mix of formal negotiating rounds and smaller group meetings continuing during July and August, both in London and Brussels if the public health guidelines allow. This represents a significant increase in pace.

BORDER IMPORT CONTROLS

10. On 12th June the UK Government announced its plans for the introduction of Full Border Import Controls on goods coming into the UK from the EU, which will be introduced in three stages up to 1st July 2021.

IRELAND/NORTHERN IRELAND PROTOCOL

11. UKG published its command paper on the protocol on 20 May; The UK's approach to the NI Protocol, in which they set out their proposals to implement the protocol in a way that;

- a. Protects the interests of Northern Ireland's people and economy,
- b. Ensures the effective working of the UK's internal market;
- c. Provides protection for the EU Single Market;
- d. Upholds the rights of all Northern Ireland's citizens.

12. Some elements of the delivery and implementation of the Protocol, such as the agri-food requirements fall within the Executive's devolved competence and the Executive have committed to working on these elements with the UK Government to ensure obligations are met.

NI BUSINESS ENGAGEMENT FORUM

13. The UK Government committed in the Command paper to engage with NI Businesses to discuss their proposals and provide feedback on how to maximise the free flow of trade. Executive ministers attended the first of these meetings with representatives from the business community on Wednesday 10 June.

14. Ni Ministers also continue to engage regularly with stakeholders.

OPERATIONAL READINESS

15. The Executive agreed at its meeting on 15 June that readiness planning for the end of the Transition period on 31 December 2020, which would include the coming into force of the Protocol on 1 January 2021, should be commenced across NI departments and co-ordinated by TEO.
16. It was also agreed that NICS officials should liaise and work with the NIO and other UKG departments, and with their counterparts in the Irish Government, to continue to seek the necessary clarity on Protocol issues to support readiness for the end of the of the Transition period.
17. We are continuing to press the UK Government for detail on their planning assumptions and readiness projects.

LEGISLATION

18. Legislation is a key area in preparing for both the implementation of the protocol and the future relationship or in the event of a non-negotiated outcome for operational preparedness.
19. Current estimates for subordinate legislation to ensure a functioning statute book for the end of the Transition Period currently indicate that a further 150+ pieces of legislation are required which will place considerable resource pressures on departments, DSO and OLC. It also presents challenges for the Assembly legislative work programme as this work will be in addition to business as usual activities.

REPATRIATED POWERS - COMMON FRAMEWORKS

20. At the Executive meeting on the 15th June the Executive agreed to endorse the Common Frameworks principles which had been agreed at JMC(EN) in October 2017. This will allow NICS officials to fully engage in the Common Frameworks project.

21. A cross-NICS frameworks forum was established to bring together all Departments with an interest in the development of frameworks to ensure that information from the UK wide frameworks project board reached the relevant officials and allow a 2-way exchange of information.
22. Three policy areas have so far progressed to technical stakeholder engagement (Hazardous Substances, Planning & Nutrition, along with the Emission's Trading System framework). These policy areas have gone through a series of review processes established through the Board, and are expected to be brought to JMC(EN) for consideration. However the majority of frameworks are still in the policy development phase and the drafting of framework outlines is underway.
23. The impact of resources having been redeployed to cover two extended periods of no deal planning ahead of exiting the EU and more recently, further resources being redirected to no deal with the Covid-19 response, means that the delivery of the full suite of frameworks required by the end of the transition period will be challenging.
24. As a result the Board has identified ten high priority frameworks which it is considered essential to be in place for the end of the transition period. The Executive has also agreed interim arrangements for the development of Frameworks and that a letter is sent to the Assembly setting out the revised arrangements and expected Assembly scrutiny

RIGHTS AND DEDICATED MECHANISM

25. The Northern Ireland Office has asked the Equality Commission for Northern Ireland and The Northern Ireland Human Rights Commission to undertake the scrutiny and monitoring role that will form the 'Dedicated mechanism' to ensure there is no diminution in rights for the people of the Northern Ireland following the UK's exit from the EU. (This is provided in UK legislation by the EU (Withdrawal Agreement) Act 2020.)

26. ECNI is currently in advanced discussions with NIO to agree the appropriate funding to allow ECNI to discharge this role.

Agenda for Joint Committee meeting – 12 June 2020

1. Introduction and opening remarks from the Co-Chairs
 - 1.1. Welcome and opening remarks
 - 1.2. Stocktake of Specialised Committee meetings

2. Implementation of the Withdrawal Agreement:
 - 2.1. Citizens' rights
 - 2.2. Protocol on Ireland/Northern-Ireland
 - 2.3. Protocol on Sovereign Base Areas in Cyprus
 - 2.4. Protocol on Gibraltar
 - 2.5. Financial provisions

3. Decision on amendments to the Withdrawal Agreement

4. AOB