

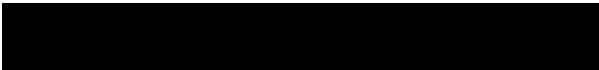


Northern Ireland
Assembly

Committee for the Executive Office

The Rt Hon. Michael Gove MP Chancellor of the Duchy of Lancaster and
Minister for the Cabinet Office
Cabinet Office
70 Whitehall
London
SW1A 2AS
United Kingdom

publiccorrespondence@cabinetoffice.gov.uk



11 November 2020

Dear Michael

FUTURE RELATIONSHIP WITH THE EUROPEAN UNION

Thank you for your response to my letter dated 10 July 2020, inviting you to attend a Committee for the Executive Office meeting to update Members on negotiations on the future relationship with the European Union; engagement with the devolved administrations; and plans for the implementation of the Protocol on Ireland/Northern Ireland (Protocol).

The Committee considered your response at its meeting on 11 November 2020, and noted that while you are not in a position to give evidence on the work of the Northern Ireland Executive, you would be happy to provide written evidence on issues related to the future relationship with the European Union.

The Committee agreed to request written evidence on the following themes:

- **Governance of the Withdrawal Agreement post-transition:** The Committee welcomes the [commitment](#) you gave to the Chairperson of the House of Lords European Union Committee, that officials will work with Parliamentary scrutiny committees, and the Northern Ireland Executive and the Assembly as the overall governance process for the Withdrawal Agreement and Protocol post-transition period is being designed. The Committee would therefore appreciate clarity on the mechanisms that are being considered to allow for transparency and

Committee for the Executive Office

Room 375a, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX

Telephone: (028) 9052 1019

E-mail: Committee.Executive@niassembly.gov.uk

scrutiny of the work of the Withdrawal Agreement Joint Committee, the Specialised Committee on the Protocol and the Joint Consultative Working Group from 1 January 2021 onwards.

- **Joint Consultative Working Group:** The Committee believes that the Joint Consultative Working Group is an extremely important structure for the exchange of information and mutual consultation between the UK and the EU and has expressed some concern that the Group has not yet met. The Committee would therefore appreciate confirmation of when the group will meet, details of its composition including whether membership will be static or rotational, and, details of the planned dedicated session on Article 2 of the Protocol.
- **Dynamic alignment with the Protocol:** There is significant uncertainty around how dynamic alignment will work in practice in relation to the EU Directives listed in Annex 1 to the Protocol. The Committee would therefore appreciate information on the process that will be implemented to monitor changes to the relevant Directives and the means of scrutiny.
- **Influencing EU policy:** Having the ability to influence EU policy which will apply to Northern Ireland is vital. The Committee would therefore appreciate detailed information on how the UK Government will seek to influence EU policy that will apply to Northern Ireland under the Protocol and how any proposals/policy changes will be monitored and communicated.
- **Common Frameworks:** It is unclear how the common frameworks process will provide for the special and specific circumstances of Northern Ireland with respect to adherence to the Protocol and potential conflict with intra UK common frameworks. The Committee would therefore appreciate clarity on this issue, information on how common frameworks will be reviewed following implementation, and, an outline of the opportunities for parliamentary scrutiny.
- **Treaty and trade negotiations:** The Committee acknowledges that treaty-making is a reserved competence, however it recognises that devolved administrations are responsible for implementing treaty obligations in areas of devolved competence. Information would therefore be appreciated on how compliance with the Protocol will be ensured and the mechanisms that will be put in place to consult devolved administrations and allow them to influence treaty or trade negotiations which touch on devolved competences.
- **Inter- Governmental Relations (IGR):** The Committee notes that your [letter](#) to Mr Mike Russell MSP, dated 15 July 2020, referred to “restarting” work on the review of IGR, and in a similar [letter](#) of the same date to Jeremy Miles MS, you said that you hoped “to accelerate this over the summer.” The Committee would therefore appreciate the timeline for publishing both the Dunlop report and the outcome of the review of IGR commissioned by the Joint Committee. The Committee would also be interested to hear your views on the calls from the House of Lords for Government to consult /seek consent from the devolved administrations in relation to the exercise of powers in the UKIMB, and your assessment of how important inter-governmental relations will be in relation to the implementation of the provisions contained in the UKIMB.

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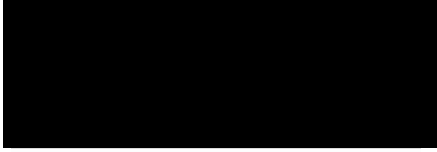
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I should be grateful for a response at your earliest convenience.

Yours sincerely



Colin McGrath MLA
Chairperson, Committee for the Executive Office