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Committee for TEO
Room 412
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Dear Michael

COMMON FRAMEWORKS

Lorraine Lynas, Director for EU Future Relations, Stephen Hamilton, and Michael Williamson EU Future Relations Division will attend the Committee on Wednesday 13 January to provide evidence on Common Frameworks.

In advance of this meeting, please find attached a briefing paper with a general update to the Committee on Common Frameworks.

Yours sincerely

David McCreedy
Departmental Assembly Liaison Officer

This paper provides a general update to the TEO Committee on Common Frameworks.

Following the last update to the Committee on 7 October 2020, the review and assessment process for Common Frameworks was completed in mid-November. This assessed the frameworks against a set of criteria to ensure that they were sufficiently developed to progress to provisional confirmation by JMC (EN). The assessment process assessed a range of criteria including Governance, impact on the Internal Market, dependency on the outcome of the future relationship negotiations and stakeholder engagement. In relation to the specific circumstances for Northern Ireland the assessment process addressed whether the Common Frameworks proposals:

- Adhered to the Belfast/ Good Friday Agreement, in particular the provisions on Human Rights, Safeguards and Equality of Opportunity;
- Adequately took into account the economic and social linkages between Northern Ireland and Ireland and whether there was an impact on areas identified for North – South cooperation and implementation through NSMC; and
- How the Framework proposals would operate with the Protocol on Ireland/Northern Ireland.

Following the completion of the review and assessment period, the Common Frameworks were approved by the respective Departmental Ministers and submitted for provisional confirmation by JMC (EN). Three frameworks were not submitted to JMC (EN);

- Mutual recognition of Professional Qualifications;
- Services; and
- Organic farming.

The Framework for Organic farming was identified as requiring further development and a second review and assessment meeting was held on 21 December which did not allow sufficient time for clearance before 31 December. The frameworks for Mutual Recognition of Professional Qualifications and Services did not undergo review and assessment as they were not sufficiently developed due to uncertainties over the

provisions of the Internal Market Act. Development of these three Common Frameworks is ongoing in the expectation that they will receive provisional confirmation as early as possible in 2021.

Throughout the process there has been significant interdependencies between the development of common frameworks and other workstreams such as the negotiations on the future relationship, the UK Internal Market Proposals and the operation of the Protocol. Now that the Trade and Cooperation Agreement, Internal Market Act and the decisions of the Withdrawal Agreement Joint Committee on Protocol implementation have been published, officials will engage with the other administrations to establish the impact upon Northern Ireland and identify whether the Common Frameworks will need to be amended to take account of these developments.

Following provisional confirmation by JMC (EN), all Common Frameworks will be submitted to the relevant Assembly Committee for scrutiny prior to implementation. Officials within TEO have developed and disseminated guidance on this issue through the NICS Common Frameworks Forum. TEO officials will continue to engage with the relevant Departments to reinforce the guidance and encourage policy teams to coordinate the scrutiny process with their counterparts in the other Administrations, whilst taking into account any delays caused by elections in the Scottish Parliament and Senedd Cymru.

Monitoring of the delivery of Common Frameworks will continue to be undertaken by the Common Frameworks Project Board which has representatives of TEO, Cabinet Office, Scottish Government and Welsh Government at senior official level which meets at least monthly and which is supported by a series of sub groups drawing appropriate expertise from across the 4 jurisdictions.