



The
Executive Office

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Stormont Castle
BELFAST
BT4 3TT

**Marie Austin
Committee for TEO
Room 412
Parliament Buildings
Ballymiscaw
Stormont
BELFAST
BT4 3SR**

24 November 2020

Dear Marie

Joint Ministerial Committee (European Negotiations) Meeting – Thursday 29 October 2020

I wrote to you on the 29th October to advise you that the twenty sixth meeting of the Joint Ministerial Committee (EU Negotiations) (JMC(EN)) would be held on that day at 17.30pm, and to provide you with a copy of the agreed agenda. I am now writing to report on the Executive's actions at that meeting and provide you with a copy of the Joint Communiqué.

The Executive was represented at the meeting by the First Minister, deputy First Minister, Junior Minister Lyons and Junior Minister Kearney:

From the UK Government: The Chancellor of the Duchy of Lancaster, Rt Hon Michael Gove MP; The Secretary of State for Scotland, Rt Hon Alister Jack MP; The Secretary of State for Wales, Rt Hon Simon Hart MP; The Secretary of State for Northern Ireland, Rt Hon Brandon Lewis MP; The Paymaster General, Rt Hon Penny Mordaunt MP; The Minister for the Constitution and Devolution, Chloe Smith MP and the deputy Chief Negotiator of Task Force Europe, Lindsay Appleby.

From the Welsh Government: The Counsel General and Minister for European Transition, Jeremy Miles MS.

From the Scottish Government: The Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell MSP and The Minister for Europe and International Development, Jenny Gilruth MSP.

The Joint Communiqué is attached at **Appendix A**.

On the agenda item on the negotiations an update was provided by the Task Force Europe deputy chief negotiator Lindsay Appleby, who deputised for David Frost. The First Minister welcomed the comprehensive update on the current stage of the negotiations. She raised the interdependencies between the negotiations outcome and the requirements of the Protocol and in particular the potential for unintended consequences if there was not a joined up approach.

She also requested information on the timeline for agreement and asked, in the situation where a comprehensive agreement was not achieved, what alternative agreements would be progressed as this was important for planning for the end of the Transition Period.

The deputy First minister reiterated the critical requirement for clarity on the remaining elements of Protocol implementation to enable businesses to prepare and the short period of time remaining.

Under the Operational Readiness (including the Protocol) agenda item the First Minister made the point that the position in Northern Ireland was different as there was the added complication of the implementation of the Protocol. She expressed concern that any agreement reached for the UK in the negotiations could have unintended consequences including a detrimental impact at a local level.

On the Protocol the First Minister reiterated the need for the EU to take a pragmatic approach to the protection of the Single Market that would ensure there was no detrimental impact on the Belfast Agreement, emphasising that the Executive were willing to help.

The deputy First Minister provided an update on the joint DAERA/DEFRA points of entry project, noting that whilst the implementation of this project is the responsibility of the Executive clarity was needed on outstanding issues to ensure operational readiness for businesses at the end of the transition period.

The Internal Market discussion focussed on the passage of the UK Internal Market Bill in Parliament. The First Minister stated that there were differing views within the Executive on the Bill however all were agreed on the need for unfettered access and welcomed the mutual recognition provisions.

The deputy first Minister agreed with the First Minister on the lack of consensus but that her party had concerns regarding the clauses which could undermine the resilience of the Good Friday Agreement. It was therefore important to prioritise the full implementation of the Protocol.

Given the time constraints there was no specific discussion on the Withdrawal Agreement Joint Committee item.

Yours sincerely

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Assembly Section

APPENDIX A

JOINT MINISTERIAL COMMITTEE (EU NEGOTIATIONS) COMMUNIQUE 29 October 2020.

The twenty-sixth Joint Ministerial Committee (EU Negotiations) met on 29 October 2020 via video conference. The meeting was chaired by the Chancellor of the Duchy of Lancaster.

The attending Ministers were:

From the UK Government: The Chancellor of the Duchy of Lancaster, Rt Hon Michael Gove MP; The Secretary of State for Scotland, Rt Hon Alister Jack MP; The Secretary of State for Wales, Rt Hon Simon Hart MP; The Secretary of State for Northern Ireland, Rt Hon Brandon Lewis MP; The Paymaster General, Rt Hon Penny Mordaunt MP; and The Deputy Chief Negotiator of Task Force Europe, Lindsay Appleby.

From the Scottish Government: The Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell MSP and The Minister for Europe and International Development, Jenny Gilruth MSP.

From the Welsh Government: The Counsel General and Minister for European Transition, Jeremy Miles MS.

From the Northern Ireland Executive: First Minister, Rt Hon Arlene Foster MLA, deputy First Minister, Michelle O'Neill MLA, Junior Minister Gordon Lyons MLA and Junior Minister Declan Kearney MLA.

The Committee discussed the current status of negotiations with the EU, the implementation of the Northern Ireland Protocol, an update on transition readiness, and progress on the UK Internal Market Bill.