

Agenda – External Affairs and Additional Legislation Committee

Meeting Venue:

Committee Room 2 – Senedd

Meeting date: 21 January 2019

Meeting time: 14.00

For further information contact:

Rhys Morgan

Committee Clerk

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Private pre-meeting

(13.45–14.00)

1 Introductions, apologies, substitutions and declarations of interest

(14.00)

2 Wales' future relationship with Europe – part two: evidence session with the Minister for International Relations and the Welsh Language

(14.00–15.00)

(Pages 1 – 18)

Eluned Morgan AM, Minister for International Relations and the Welsh Language

Des Clifford, Welsh Government

Andrew Gwatkin, Welsh Government

3 Paper(s) to note

(15.00–15.05)

3.1 Paper to note 1 – Correspondence from the Chair of the Climate Change, Environment and Rural Affairs Committee to the Minister for Environment, Energy and Rural Affairs regarding the consideration of the Legislative Consent Memorandum for the Fisheries Bill – 11 January 2019

(Pages 19 – 23)



- 3.2 Paper to note 2 – Correspondence from David Lidington MP to Chair EAAL and Chair CLAC regarding intergovernmental relations and Ministerial engagement – 17 January 2019**
(Pages 24 – 28)
- 4 Motion under Standing Order 17.42(vi) to resolve to exclude the public from the remainder of the meeting**
(15.05)
- 5 Wales' future relationship with Europe – part two – consideration of evidence**
(15.05–15.20)
- 6 Monitoring the EU negotiations**
(15.20–15.35) (Pages 29 – 93)

EXTERNAL AFFAIRS & ADDITIONAL LEGISLATION COMMITTEE
WRITTEN EVIDENCE – INQUIRY INTO WALES’ FUTURE RELATIONSHIP
WITH EUROPE AND THE WORLD PART 2

Agenda Item 2

The purpose of this paper is to provide written evidence to support Part 2 of the External Affairs and Additional Legislation Committee on its inquiry into Wales’ Relationship with Europe and the World. Part 2 has re-focused the remit of inquiry, so this paper gives an overview of the Welsh Government’s current approach to external relations and its efforts to grow and maintain our European relationships in the light of the BREXIT vote.

Introduction

The Welsh Government seeks to promote and protect Wales’ place in the world by developing and maintaining international relationships and partnerships, economic links, working with key stakeholders and supporting businesses to deliver tangible outcomes for the people of Wales. It is more important than ever to be engaged internationally to minimise the economic impact of leaving the European Union.

Some of the key issues confronting us as a nation are issues which need to be considered in a broader global context, these include issues like tackling poverty, the impact of digital technology on our lives and privacy, tax evasion, global warming and environmental challenges.

As the deadline for leaving the European Union approaches, international relationships have never been more important. In recognition of this, the Welsh Government created its first ever ministerial post for International Relations in December 2018 to take forward this agenda at this critical time.

In the twenty years since the establishment of devolved government, we have developed strong relationships with other nations, regions and networks across Europe. The possibility of the UK leaving the EU changes the framework in which we operate, but not our ambition: whatever the shape of the future UK-EU partnership.

International Strategy

Leaving the European Union would lead to a radical change in the international trading environment and it would require a stronger partnership approach across Wales, to pull together all of our efforts, to deliver for Wales.

Over the coming months, the Welsh Government will be working with partners to map out a dynamic agenda which supports Welsh business and draws on our country’s impressive range of assets to promote Wales internationally. The work will culminate in a new comprehensive International Strategy that will give Wales a powerful voice in Europe and beyond.

The development of the strategy will be supported by an independent task and finish group informed by wider public consultation, and refined further as our future relationship with the EU becomes clearer. The First Minister and his Cabinet will be invited to provide a steer on the appropriate balance and emphasis between the different activities that we undertake and how they are targeted.

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Overseas Offices

The Welsh Government’s network of overseas offices will potentially play an important role in our approach to external affairs and international relations. Our offices are an important part of our international economic development work as they identify inward investment opportunities and potential customers for Welsh exporters. The network is multifunctional; responsible for contributing to the Welsh Government’s activity in the fields of trade and investment, government relations, tourism, culture and education. The offices provide Wales with a face on the ground, building and maintaining relations, facilitating business meetings and strategic engagement with British posts and where relevant Welsh diaspora around the world.

The overseas offices provide vital support to Ministerial visits overseas, delivering a programme of activity towards enhancing the reputation of Wales as a place in which to invest, do business, work, study and visit.

Partly in response to the challenges, uncertainties and pressures of the UK’s decision to leave the European Union, 2018 saw the biggest expansion of the Welsh Government network to date, with new offices opening in Montreal, Berlin, Doha, Paris and Dusseldorf. The primary focus of the new offices is to identify export opportunities for Welsh based businesses and secure inward investment opportunities. Their work is driven by business plans which tailor activity to the key economic strengths of Wales.

Wales in Europe

The reasons we work in Europe and beyond are varied and mutually reinforcing. Our external relationships and partnerships support our businesses to export and assist us in attracting investment, tourists and students from other European countries.

The Government’s commitment to investing in partnerships in Europe is reinforced by the Future Generations agenda and our aspiration to be a globally responsible Wales with a powerful voice in Europe and beyond, recognised for fairness and sustainability.

European Priority Regions

Since devolution we have formalised government to government relationships with several regions. Over the past year the Welsh Government has: re-signed a Memorandum of Understanding agreement with Brittany; signed new Memorandum of Understanding agreements with the Basque Country and Galicia; and a Declaration of Friendship and Solidarity with the Dutch Province of Noord Holland. We also have a strong, long-standing meaningful co-operation with Flanders.

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These priority regions are important to Wales due to common cultural and linguistic heritage, shared values and common economic and social interests. The international strategy will determine how and if they will constitute a focus for our co-operation activities in terms of governmental activity and partners for collaborative projects supported through the European Territorial Cooperation or other programmes.

Each relationship is different, and therefore our approach and activities currently reflect this diversity.

Ireland is an important partner for Wales economically, culturally and politically. We have a particularly close co-operative relationship through the European Territorial Cooperation Programmes which has strengthened that relationship and built prosperity in our maritime links at Holyhead, Pembroke Dock and Fishguard. The Welsh Government is a fully participating member of the British-Irish Council, established under the Good Friday Agreement, and works closely with the Northern Ireland Executive across areas of devolved policy. In addition, Wales has benefited from wider transnational cooperation through our involvement in INTERREG Atlantic Area and the North West Europe Programme. Brexit presents an opportunity to re-focus and further strengthen these connections and we are pleased that the Irish Government will establish a Consulate in Wales in 2019 recognising the strength of the bilateral relationship.

Participation in European Networks

Our bilateral relationships are also fuelled through joint membership of European Networks. The Welsh Government, and other Welsh organisations, are currently active members of a variety of European networks including the Vanguard Initiative on Advanced manufacturing and bio-based industries, the Conference for Peripheral and Maritime Regions (CPMR), the Regional Network for Sustainable Development, the European Research and Innovation Network; the Network for the Promotion of Linguistic Diversity, the European Network of the Regions and Gourmet Food (REGAL) and the European Regional Health grouping EUREGHA which we chair and which is co-located with our Brussels office.

The participation reflects Wales’ desire to remain very much a positively-engaged European nation, sharing ideas and culture, working collaboratively on economic and academic partnerships, and supporting exchange. The benefits of participation are much more than simply the funding Wales receives.

In order to support the continuing participation of Welsh organisations in European programmes and networks, the Welsh Government established the European Transition Fund. This resource, supported by an initial input of £50 million by the Welsh Government, will allow us to support future engagement following the conclusion of the Transition period. The Government will continue its work to map Welsh engagement in European networks and is exploring, how to support continued engagement from community groups and third sector organisations.

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We also continue to advocate that the UK should participate in EU funding programmes including the Framework Programme on Research and Development, Erasmus, Creative Europe and European Territorial Co-operation post Brexit as these are the tools which enable organisations and individuals to collaborate across frontiers.

The (Evolving) Role of the Brussels Office

The Welsh Government has been pro-actively and successfully engaged in the European arena for over 18 years since the opening of its Brussels Office in 2000, building on the earlier Wales European Centre. The Brussels Office has many years of substantive input to the EU policy and legislative process through working as part of the UK Permanent Representation but also in its own right through the bilateral and multi-lateral relationships. The contacts, connections and understanding of policy issues provide a solid and credible base from which the Brussels Office can evolve positively to maintain Welsh influence irrespective of the final outcome of the negotiation. This will be complemented by continued engagement by Welsh Ministers and senior officials with UK Government in London to emphasise our needs, rights and responsibilities in the post-Brexit world. We will pursue with vigour the possibilities of further support for Wales and Welsh businesses from UK Governmental departments including DFID and MOD.

The focus of the Brussels office’s work has evolved since the referendum and will continue to do so as the UK’s relationship with the EU evolves. Assuming a deal is reached, the UK will continue to have a relationship with the EU Institutions themselves and bodies such as the Committee of the Regions through joint committees and structures. We have committed ourselves to explore all the possible avenues that will facilitate governmental or non-governmental engagement with the EU after Brexit.

Wales also engages with the Council of Europe. This has focussed, in the main, around the European Charter for Regional and Minority Languages, which the UK signed in the year 2000. The Charter represented an important step forward for the Welsh language, in that it outlines a range of overall principles and specific measures designed to promote the recognition and use of the Welsh language and its contribution to the building of a culturally diverse Europe.

The Welsh Government recognises the importance of continued engagement with European institutions, and institutions in the wider international market, following the UK’s exit from the European Union. We have been working closely with internationally facing UK Government departments such as the Department for International Trade and the Foreign and Commonwealth Office (FCO), as well as with UKRep, to ensure continued engagement with EU institutions and Member States. To maximise the effectiveness of our work we will also seek to continue influencing the FCO’s European engagement strategies as they evolve and use the opportunities they will present.

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Increasing Our Engagement in International Organisations

Our engagement with other international organisations including the World Trade Organisation (WTO), the World Health Organisation, the Organisation for Economic Cooperation and Development, the World Bank and the UN and its agencies is increasing and assuming greater importance.

These organisations are sources of data on international best practice, comparators, peer review and analysis which inform our policy development and delivery. They are also fora where Wales can exert influence through raising our profiling areas in areas where we excel.

Once we leave the EU the UK will become a member of the WTO in its own right. This means the UK will represent itself at the WTO, dealing with queries and concerns with other members. The Welsh Government is discussing our role with the UK Government both in terms of influencing the UK position and being “in the room” for matters of devolved competence like the Committee on agriculture. It is important that we maintain compliance with WTO rules in future. Building strong connections with the WTO will be important for Wales and the rest of the UK.

There is limited academic and policy literature on the ways in which sub-national governments in other countries have been involved in international trade negotiations. We will continue discussions with third countries (and their constituent parts, where appropriate) to learn how they operate in relation to such arrangements at present. Norway, Iceland, Switzerland, Canada (and Quebec), Australia and New Zealand are all of relevance. The Welsh Government has pro-actively engaged with these most relevant third country missions over recent years, but especially since the referendum to explore how they operate and will continue this discussion when the nature of the relationship becomes clearer.

Conclusion

The Welsh Government has a challenge to ensure that it, and wider Welsh interests, remains relevant and influential should the UK leave the EU. We need to maintain trading relationships with our most important trading partners and continue working alongside an organisation whose future direction and policy choices on environmental protection, security, trade and funding programmes will continue to influence domestic policy and delivery. Setting out clear and specific priorities which are important to Wales in areas such as the economy, culture, and government relations will help maximise our influence across Europe and beyond, and this will be delivered through the development of a new Strategy.

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Lesley Griffiths AM
Minister for Environment, Energy and Rural Affairs

11 January 2019

Dear Lesley,

Consideration of the Legislative Consent Memorandum for the Fisheries Bill

Thank you for agreeing to give evidence on the Legislative Consent Memorandum ('LCM') for the UK Fisheries Bill at the Climate Change, Environment and Rural Affairs Committee's meeting on the 24 January.

We would like detail and/or clarification, beyond that provided in the LCM and the Supplementary LCM, on the following issues to inform our work:

The LCM states:

"The Fisheries Bill creates the primary legislative elements of the UK Framework for fisheries management and support post EU Exit. **These provisions could only appropriately be applied through a UK Bill**, providing a uniform set of powers, obligations and objectives...With the current devolution arrangements an Act of the Assembly would not be able to make all of the provisions necessary for the coherence of the Bill. **This would leave us relying in part on the UK Fisheries Bill and in part on a Welsh fisheries Bill.**"

The LCM goes on to state that, **at the request of Welsh Government**, the UK Bill also includes powers for the Welsh Ministers.

The Welsh Government has given commitments to publishing a consultation, *Brexit and our seas* in the spring term and to introducing a Welsh fisheries Bill.

The need for legislation and the approach taken

Question 1. To what extent does the UK Bill include provisions that are additional to those necessary to establish a legislative UK Framework for fisheries post EU Exit? Which of these provisions could have been included in a future Welsh fisheries Bill?



Question 2. Which of the powers for the Welsh Ministers were included at the request of the Welsh Government?

Question 3. What is the rationale for requesting these powers, particularly if the Welsh Government intends to introduce a Welsh fisheries Bill?

Question 4. What are the implications for the Welsh Government and the fisheries sector if these powers are not included in the UK Bill?

Question 5. Schedule 6 includes broad powers for Welsh Ministers to make provision for 'conservation' and 'fish industry' purposes. Why is it necessary to include these provisions in a UK Bill, rather than a future Welsh fisheries Bill which will be subject to the full Assembly scrutiny process?

Fisheries objectives

The Common Fisheries Policy objectives (set out in Article 2 of the EU Common Fisheries Policy Regulations) will no longer apply following the UK's exit from the EU. Clause 1 of the UK Bill sets out the UK's "fisheries objectives", which reflect some of the Common Fishers Policy ('CPF') objectives.

Question 6. How do the fisheries objectives in clause 1 differ from, and improve on those set out in Article 2 of the Common Fisheries Policy Regulations?

Question 7. What consideration was given to including milestones and/or targets for achieving the fisheries objectives in the Bill, for example in relation to Maximum Sustainable Yield (as currently included in the CFP)? Will these be included elsewhere, for example, in a JFS?

Question 8 How will progress towards achieving the fisheries objectives be measured and monitored in Wales? Is there any intention to develop a common approach to measuring and monitoring progress across the UK?

Fisheries statements

Clause 2 to 6 make provision for a "Joint Fisheries Statement" ('JFS') and a "Secretary of State Fisheries Statement" ('SSFS'). Under this provision, the fisheries policy authorities (i.e. the UK Government and devolved administrations) must prepare and publish a JFS before 1 January 2021. A corresponding requirement is placed on the Secretary of State in respect of a SSFS.

Schedule 1 makes provision for the preparation and publication of a JFS. This includes consultation on a draft JFS before being laid before the appropriate legislature, and responding to any resolutions and recommendations.



Clause 2(1) provide that a JFS will state the fisheries authorities' policies for achieving, or contributing to the achievement of, the fisheries objectives. Clause 6(2) requires authorities (and the Marine Management Organisation - MMO) to exercise their functions relating to fisheries, fishing or aquaculture in accordance with the policies contained in a JFS.

However, authorities can deviate from those policies but must state their reason.

Question 9. Can you explain in detail how the fisheries policy authorities will “act jointly” in relation to the JFS? How will the Fisheries Management Framework Agreement, referred to in the Supplementary LCM, inform this approach?

Question 10. Can you clarify whether the fisheries policy authorities would be expected to consult appropriate legislatures on any revisions to a draft JFS arising from scrutiny of another appropriate legislature, before the final text of a JFS is published?

Question 11. While Schedule 1 provides for scrutiny of a JFS by the appropriate legislature before it is published, a JFS will not be subject to the approval of those legislatures. What consideration was given to including such provision?

Question 12. Can you explain how and to whom a statement under clause 6(2) will be made? Why is there no formal mechanism in the Bill to this effect?

The SSFS covers many of the more detailed objectives which are contained within Article 2(5) of the Common Fisheries Policy. The SSFS must include the Secretary of State's policies in relation to these objectives. These objectives would only be applicable to reserved powers and those that apply to England only.

Question 13. Can you clarify the purpose and intended effect of a SSFS as it relates to Wales?

- What are the reserved powers that the SSFS will apply to?
- Do you intend to provide comparable detailed objectives that would apply to Wales? If so, when and how?

Power of the Secretary of State to determine fishing opportunities

Clauses 18 and 19 make provisions in relation to fishing opportunities (or quota) for British fishing boats. Clause 18 provides that the Secretary of State may determine fishing opportunities. A determination may be made only for the purpose of complying with an international obligation of the UK in this regard.

Clause 19 requires the Secretary of State to consult Welsh Ministers (and the other devolved administrations) before making or withdrawing a determination under clause 18.



The Fisheries Concordat between the UK Government and devolved administrations ('the Concordat') states:

"The Administrations note that this Concordat involves an agreement to allocate amounts of quota to each Administration. Such allocations do not constitute a permanent split of UK fishing opportunities."

The Concordat sets out the basis on which quota currently allocated to the UK will be allocated to each of the administrations. It also enables the devolved administrations to make changes to how fishing opportunities can be allocated within their jurisdiction.

Question 14. Can you clarify whether the Bill, as drafted, provides Wales (and the other devolved administrations) with a *right* to fishing opportunities? If not, why not?

Wales currently receives 1% of the UK's quota share. Even if overall UK quota levels increase after Brexit, Wales will only get 1% of that increase.

Question 15. In terms of fishing quota, the benefit to Wales from the UK's exit from the EU will be marginal. Do you think this is acceptable? What discussion have you had with the UK Government in this regard?

Question 16. On what basis will fishing opportunities in Wales be distributed and what mechanism will be used?

Question 17. Will the Fisheries Concordat need to be reconsidered in light of the provisions in the Bill? If so, in what way?

Question 18. Can you clarify whether clause 20 relates to the distribution of fishing opportunities by the Secretary of State (or the MMO) to the UK's four nations, or to the distribution of fishing opportunities by the Secretary of State (or the MMO) to English fishing boats?

According to the Explanatory Notes accompanying the UK Bill, amendments to Article 17 of the Common Fisheries Policy Regulation provided for by clause 20, which describes how fishing opportunities should be distributed, will not apply to Wales. Article 17 contains provisions relating to transparent and objective criteria as the basis of that distribution. The Explanatory Notes state that clause 20 "does not apply Article 17 to the other Fisheries Administrations, at their request".



Question 19. Can you outline your reasons for this? What will this mean in practice?

Sale of fishing opportunities and discard prevention charging schemes

Clause 22 provides powers for the Secretary of State to introduce a different approach to quota allocation **for England only**. This includes setting out a process for selling fishing opportunities.

Article 15 of the CFP Regulations (which are unamended by the UK Bill) introduces a discard ban in the form of a landing obligation for all fish caught. The ban comes into full force on 1 January 2019.

Clauses 23 to 27 makes provision for the Secretary of State to establish, for England, a charging scheme allowing payment to be made for "an unauthorised catch of fish". According to the Explanatory Notes accompanying the UK Bill, clause 23 was included "to address the concerns on the impact of the discard ban". No equivalent provisions are made in relation to Wales.

Question 20. What consideration did you give to requesting corresponding provisions for sale of fishing opportunities and discard prevention charging schemes for Wales?

Finally, we are aware that the Bill has already completed committee stage in the House of Commons. **We would like you to provide a timeline for the Bill's passage through Parliament, and to seek assurance from you that this will provide sufficient time for the Welsh Government to negotiate any amendments that may be deemed necessary or desirable.**

I should be grateful if you would respond to the above by **Friday 18 January**. While I appreciate that this is a tight deadline, it will help ensure the best use of time at our session on 24 January.

Yours sincerely,



Mike Hedges AM
Chair of Climate Change, Environment and Rural Affairs Committee

Copied to: Mick Antoniw AM, Chair of Constitutional and Legislative Affairs Committee
David Rees AM, Chair of European Affairs and Additional Legislation Committee



Agenda Item 3.2



Cabinet Office

Rt Hon David Lidington CBE MP
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Our Ref: CDL/2533

Mr Antoniwi and Mr Rees
Interparliamentary Forum on Brexit
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

17 January 2019

Dear Mr Antoniwi and Mr Rees,

Thank you for your letter of 29 October 2018, providing an update on the Interparliamentary Forum on Brexit meeting that took place on 25 October 2018, as well as a summary of conclusions and recommendations on intergovernmental and interparliamentary relations made by the committees represented in the Forum.

I am pleased to provide here further detail on the progress of the current review into intergovernmental relations.

Devolution in the UK over the past 20 years is something we should celebrate. Intergovernmental relations are vital to the effective functioning of devolution and, most importantly, to the delivery of services for all citizens across the UK. Since the inception of devolution, intergovernmental relations have continued to evolve to meet the needs of the various administrations across the UK.

As you note in your letter, discussions between the UK Government and devolved administrations are underway in order to determine what changes we might make for the future that can strengthen our relations as part of the review of intergovernmental relations.

One of the first exercises undertaken as part of the review was looking at the evidence developed by Parliamentarians and academics about the current operation of intergovernmental relations

and recommendations for reform, so your perspectives have informed the content and direction of the review.

In 2018, officials jointly developed five key themes and workstreams for the review, including:

- The principles underpinning intergovernmental relations, including Parliamentary scrutiny and dialogue;
- The structures needed to assist domestic UK governance, for example the formal and informal forums and engagement needed to govern common frameworks;
- How we seek to avoid and resolve disagreements in the future;
- The formal Ministerial machinery, including the Joint Ministerial Committee and the secretariat;
- Engagement on international matters, including the UK's future relationships with the EU.

In the coming months, we will continue to work closely with the devolved administrations on these workstreams.

We note that the suggestion for intergovernmental relations to be placed on a statutory footing would require the UK Parliament to agree any changes that the four administrations wish to make to the agreements underpinning our relationship. Placing the MoU in statute may therefore limit the participating administrations' ability to adapt its function in what is a rapidly changing political landscape. This could include for example the creation or removal of additional committee structures. We remain of the view that the intergovernmental structures must remain adaptable enough to address the four governments' interests at any given time, not least at present to manage the UK's exit from the EU.

We also note and welcome your interest in Parliamentary scrutiny and dialogue in the intergovernmental relations. We recognise the importance of consulting with wider stakeholders and we are therefore working closely with academics and commentators to ensure we explore the full range of options. We remain open to new suggestions for the effective conduct of intergovernmental relations and am pleased that the Minister for the Constitution will be able to discuss your recommendations further at the Forum's next meeting later this week.

I am also pleased to provide the Forum with an update on the Ministerial engagement that has taken place with the devolved administrations since my last correspondence in October.

Joint Ministerial Committee (EU Negotiations)

The Joint Ministerial Committee (EU Negotiations) (JMC(EN)) has met three times since our last correspondence, on Thursday 11 October, Tuesday 13 November and Monday 19 November.

On 11 October, the Secretary of State for Exiting the European Union provided an update on the progress of the EU Exit negotiations ahead of European Council on 17/18 October and the Committee discussed recent developments. The Committee also discussed the UK Government's position on migration, with the Minister of State for Immigration and, from the Scottish Government, the Minister for Europe, Migration and International Development, in attendance to speak further to this matter. The Committee also discussed domestic issues. The former Parliamentary Under Secretary of State for Exiting the EU, Suella Braverman MP, gave an update

on the EU (Withdrawal Agreement) Bill. The Committee discussed the ongoing engagement on common frameworks and agreed further work to ensure progress across the priority areas and on cross-cutting issues. The meeting concluded with a discussion on operational readiness and the Committee agreed to discuss this further at the next meeting in November.

On 13 November, I provided the Committee with an update on negotiations with the EU including further developments in relation to the Withdrawal Agreement and the Future Framework. On domestic issues, the former Parliamentary Under Secretary of State for Exiting the EU, Suella Braverman MP, provided an update on the EU (Withdrawal Agreement) Bill. The Committee also noted the ongoing engagement on common frameworks and operational readiness, including the European Union (Withdrawal) Act and Common Frameworks report that had been laid before Parliament earlier that day.

The Committee met again on 19 November following the publication of the draft Withdrawal Agreement and Outline Political Declaration. I provided an overview of these two documents and the Committee discussed these further. The next meeting of JMC(EN) is scheduled to take place later this month.

Joint Ministerial Committee (Plenary)

The Joint Ministerial Committee met in Plenary (JMC(P)) on 19 December at 10 Downing Street. The meeting was chaired by the Prime Minister, and attended by the First Ministers of Scotland and Wales and the Head of the Northern Ireland Civil Service. The Prime Minister provided an update on negotiations with the EU and the Committee discussed next steps on the UK's exit from the EU. The Committee also noted progress on the review of intergovernmental relations that they had discussed and commissioned at the previous meeting in March 2018 and remitted further work to officials.

Joint Ministerial Committee (Europe)

The Joint Ministerial Committee (Europe) (JMC(E)) has continued to meet quarterly since the referendum, ahead of European Council meetings. The meetings are chaired by the Minister of State, Lord Callanan, and provide an opportunity for ministers from the devolved administrations to provide input on UK positions on ongoing EU business. The most recent meeting took place on 11 October. As well as the standing agenda item of UK priorities for the European Council, the forum also discussed the Multiannual Financial Framework for 2021-27, and the Commission Work Programme 2019 Letter of Intent. The Committee also commissioned a paper to consider the future role of JMC(E) during the implementation period. This paper is currently being developed by UK Government officials, with input from officials from each of the devolved administrations. The next JMC(E) is due to take place in late January, where this paper will be considered. The agenda will also include a discussion on Blue Growth, and consideration of a paper on the priorities for the upcoming Romanian Presidency.

Ministerial Forum (EU Negotiations)

The Ministerial Forum (EU Negotiations) (MF(EN)), co-chaired by the Parliamentary Under Secretary of State for Exiting the European Union, Robin Walker MP, and the Minister for the Constitution, Chloe Smith MP, has now met six times since it was established in May 2018. MF(EN) provides the devolved administrations with increased opportunity to contribute to the

development of UK negotiating lines in greater breadth and depth. Since our last correspondence, there have been two further meetings of MF(EN), on 22 October and 3 December.

On 22 October 2018, MF(EN) met in London to discuss the UK Government's proposal for dialogue and exchanges between the UK and the EU in areas of shared interest, with a view to identifying opportunities to cooperate, share best practice and expertise. Topics of discussion included science and innovation, culture and education and UK participation in EU programmes. This followed Robin Walker's regular update on negotiations in Brussels.

MF(EN) last met on 3 December 2018, to discuss the following topics in the context of our future relationship with the EU: transport, led by Jesse Norman MP, from the Department for Transport; financial services, led by John Glen MP, the Economic Secretary to the Treasury; services; and energy, both led by Claire Perry MP, from the the Department for Business, Energy and Industrial Strategy. In addition to the regular ministerial attendees from the devolved administrations, Graeme Dey MSP, Minister for Parliamentary Business and Veterans for the Scottish Government and Rebecca Evans AM, in her previous role as Minister for Housing and Regeneration for the Welsh Government, and senior officials from Northern Ireland, the Scottish Government's Minister for Energy, Connectivity and the Islands, Paul Wheelhouse MSP was also in attendance. From the Welsh Government, the Cabinet Secretary for Economy and Transport, Ken Skates AM and the Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths AM were also present. Ministers noted a good degree of alignment with regards to the items under discussion, while recognising the importance of further joint working to ensure that devolved interests are accounted for in the development of UK Government policy. The next meeting of MF(EN) is being planned for this month, where we look forward to a substantive policy discussion on internal security and civil judicial cooperation in the context of the UK's future relationship with the EU.

Underpinning this ministerial engagement, there is ongoing official-level engagement to discuss the policy detail behind topics relating to the future relationship with the EU; there have been over 20 such meetings to date. These discussions continue to highlight policy areas and issues for discussion at future meetings of MF(EN).

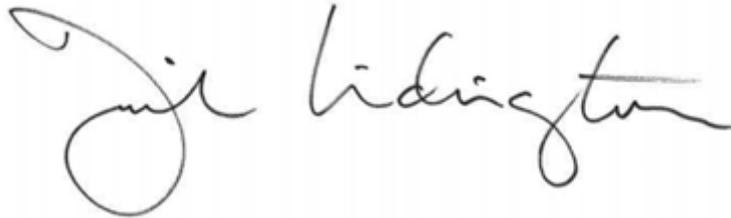
British-Irish Council

The 31st Summit of the British-Irish Council took place on 8/9 November 2018, hosted by the Government of the Isle of Man. I was pleased to lead the UK delegation, which included the Secretary of State for Northern Ireland, the Parliamentary Under Secretary of State for Exiting the EU, Robin Walker MP, and the Minister of State for Digital and the Creative Industries, Margot James MP.

The main discussion items at the Summit meeting focused on digital inclusion and latest political developments, including EU Exit and the political situation in Northern Ireland. Ministers from each member administration provided an overview of their latest activity in preparation for the UK's exit from the EU. Preparations are underway for the 32nd Summit of the British-Irish Council which is due to be hosted by the UK Government later this year.

I hope that this provides a useful summary of recent engagement with the devolved administrations and look forward to continuing these regular updates.

Yours,

A handwritten signature in black ink, reading "David Lidington". The signature is written in a cursive style with a large, looping initial "D".

Rt Hon David Lidington CBE MP

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