



HOUSE OF LORDS

European Union Committee

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25 January 2019

Dear David

Post-Brexit UK-EU interinstitutional relations, and the role of the devolved institutions

It was good to see you again at the meeting of the Interparliamentary Forum on Brexit on 17 January.

The House of Lords EU Select Committee, which I chair, is undertaking a piece of work on *Post-Brexit UK-EU interinstitutional relations*. This work is designed to examine how future UK-EU intergovernmental and interparliamentary mechanisms and dialogue will be conducted. An important component of this work is to consider the role that the devolved institutions (both at governmental and parliamentary level) should play in influencing and shaping this dialogue.

Given the continued uncertainty of the Brexit process, the Committee has decided not to launch a full-scale inquiry, but rather to engage in an information-gathering exercise with key stakeholders, which we intend to inform a report to be published before the scheduled date of UK withdrawal on 29 March 2019.

As part of this exercise, the Committee would like to take account of the views and perspectives of colleagues in the devolved legislatures. We would therefore like to invite your Committee to set out its views, in writing, on a number of key questions as set out below, as well as any other topical issues that aren't covered here. The list of questions is attached. In order to inform the Committee's forthcoming report, we would like to invite a response by **Friday 8 February?**

If you have any questions, please do not hesitate to get in touch. I have written in similar terms to the Chairs and Conveners of other relevant Committees in the Scottish Parliament and National Assembly for Wales. My officials are also in dialogue with officials in the Northern Ireland Assembly.

Yours sincerely,

Lord Boswell of Aynho
Chairman of the European Union Committee

LIST OF QUESTIONS

1. What is your assessment of the mechanisms set out in the Withdrawal Agreement and Political Declaration to govern UK-EU relations a) during the transition period; and b) after the end of the transition period, including at “summit, ministerial, technical and parliamentary level”?
 - a. How do you envisage the mechanisms, including the proposed Joint Committee structures, dispute resolution mechanisms and ‘high-level conference’, operating in practice?
 - b. How do the proposed mechanisms for UK-EU relations during the transition period, and in the post-transition period, relate to one another? What are the key similarities and differences?
 - c. Notwithstanding the House of Commons’ rejection of the Withdrawal Agreement and Political Declaration, how likely is it that the proposed structure will underpin future UK-EU relations in the event of a deal being reached?
2. How should the UK Parliament and the devolved legislatures seek to scrutinise the interinstitutional mechanisms, including the proposed dispute resolution mechanism, both during the transition period and post-transition? How, if at all, should the work of the UK Parliament and the devolved legislatures be coordinated in this regard?
3. What format should the proposed dialogue between the European Parliament and the UK Parliament take? Will this take the form of a ‘delegation’?
 - a. What role should the devolved legislatures play in this process?
 - b. How could such an inter-parliamentary body influence the negotiation and/or governance of the future relationship?
4. What principles should underpin future intergovernmental and interparliamentary bilateral relations with individual EU Member States? What role should the devolved institutions play in the maintenance of such relations?
5. What role should the devolved governments and legislatures play in ensuring effective governance and scrutiny of the UK-EU relationship?
6. What lessons can be learned, both positive and negative, from the EU’s relations with other third countries in its neighbourhood? What can the UK learn from other third countries in seeking to continue to exert influence in Brussels?
 - a. How should the UK’s representation to the European Union (UKREP) adapt to its new role as a third country representation?
 - b. Should the UK Parliament continue to maintain a presence in Brussels?
 - c. What presence should the devolved institutions have in Brussels?