



Future UK-EU Relationship: Approach to Negotiations Debate on 16 March 2020

On 16 March 2020, the House of Lords is due to debate two motions:

Lord True, Minister of State at the Cabinet Office, to move that this House takes note of the “Command Paper the Future relationship with the EU: The UK’s Approach to Negotiations”.

The Earl of Kinnoull, chair of the European Union Committee, to move that this House “agrees with the conclusion of the European Union Select Committee, that the Council Decision authorising the opening of negotiations for a new partnership with the United Kingdom of Great Britain and Northern Ireland, published in draft on 3 February 2020, and adopted in amended form by the General Affairs Council on 25 February 2020, raises matters of vital national interest to the United Kingdom”.

Baroness Hayter of Kentish Town to move, as an amendment to the above motion, at end insert “and notes the undertaking of Her Majesty’s Government in paragraph 40 of the Department for International Trade’s summary of responses to a public consultation on trade negotiations with the United States, published on 18 July 2019, to “draw on the expertise and experience of Parliamentarians” by working with a parliamentary committee which would be afforded “access to sensitive information” during the process, before taking a “comprehensive and informed position on the final agreement”; and therefore calls on Her Majesty’s Government to ensure that, in a manner consistent with the European Commission’s treatment of the European Parliament, both Houses of Parliament are able to receive regular updates from ministers, scrutinise all relevant policy documents and legal texts, and debate the terms of emerging agreements, as negotiations on the future relationship between the United Kingdom and the European Union progress”.

On 31 January 2020, the UK left the EU under the terms of the withdrawal agreement. This provided for an implementation period during which most EU laws, including new laws, would continue to apply to the UK. The transition period will last until 31 December 2020, unless the UK and EU agree an extension.

In February 2020, the [UK Government published a command paper](#) setting out its approach to the negotiations about the future relationship between the UK and the EU. It said the UK wished to establish a comprehensive free trade agreement with the EU, citing the EU’s deal with Canada as a model for such an agreement.

In the same month, the [European Council published a decision](#) authorising the opening of the

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negotiations, which the [General Affairs Council subsequently adopted](#).

Section 29 of the European Union (Withdrawal Agreement) Act 2020 established that the House of Lords European Union Committee could report on EU legislation made during the transition period which it considered raised matters of “[vital national interest](#)”. The Act required that the House of Lords debate the report within 14 sitting days of its publication. The committee has also said that to meet the requirements set out in the 2020 Act, this report would have to be debated as a resolution, making it possible for Members to vote on it if they wished.

The committee concluded that the council decision and the annex to the decision adopted by the General Affairs Council referenced above constituted “EU legislation”, as defined in section 29. It therefore held an enquiry into the EU and UK Government documents concerning their negotiation positions. Specifically, the committee considered how the positions expressed in these documents compared to the [political declaration](#) agreed by the UK and EU negotiators on 19 October 2019.

The committee concluded both parties in the negotiations had diverged since the UK and EU negotiators agreed the political declaration on 19 October 2019. It argued the “scale of the challenge ahead, if agreement is to be reached before the end of 2020, was clear”.

Edward Scott | 12 March 2020

Further Information

- HM Government, [The Future Relationship with the EU: The UK’s Approach to Negotiations](#), February 2020, CP 211, pp 1–18

Extracts from the command paper on the UK Government’s negotiating position.

- House of Lords European Union Committee, [Report Pursuant to Section 29 of the European Union \(Withdrawal Agreement\) Act 2020: Council Decision Authorising the Opening of Negotiations with the United Kingdom of Great Britain and Northern Ireland for a New Partnership Agreement](#), 5 March 2020, HL Paper 32 of session 2019–21, pp 1–6 and 33–5

Introduction and recommendations of the committee’s report on the UK and EU’s negotiation positions.

- European Commission, [Recommendation for a Council Decision Authorising the Opening of Negotiations for a New Partnership with the United Kingdom of Great Britain and Northern Ireland](#), 3 February 2020, pp 1–3

Extracts from the first of the two documents considered by the European Union Committee.

- Council of the Europe Union, [Annex to Council Decision Authorising the Opening of Negotiations with the United Kingdom of Great Britain and Northern Ireland for a New Partnership Agreement](#), 25 February 2020, pp 1–5

Extracts from the second of the two documents considered by the European Union Committee.

- House of Commons Library, [The UK-EU Future Relationship Negotiations: Process and Issues](#), 2 March 2020, pp 4–7

Summary of the early stages of the negotiations between the UK and the EU.

Parliamentary Debate, Statements and Questions

- House of Commons, '[Written Statement: Approach to our Future Relationship with the European Union](#)', 27 February 2020, HCWS129
- House of Commons, '[Written Statement: Negotiations on the UK's Future Relationship with the EU: Update](#)', 9 March 2020, HCWS153
- [Statement on 'EU: Future Relationship'](#): HL *Hansard*, 27 February 2020, cols 278–92