



## **EU Committee Report: *Beyond Brexit: How to Win Friends and Influence People***

### **Debate on 12 May 2020**

On 12 May 2020, the Lord Boswell of Aynho (Non-affiliated) is due to move that “this House takes note of the Report from the European Union Committee *Beyond Brexit: how to win friends and influence people* (35th Report, Session 2017–19, HL Paper 322)”.

#### **Summary**

The House of Lords European Union Committee report, [\*Beyond Brexit: How To Win Friends and Influence People\*](#), considered how the long-term relationship between the UK and the EU would be conducted following the UK’s withdrawal from the EU. The report was published in March 2019, following agreement between Theresa May’s Government and the EU of a draft withdrawal agreement and political declaration. At that point, the terms of the UK’s withdrawal had yet to be formally approved and the Government had faced a number of defeats in the House of Commons on its withdrawal agreement.

The committee concluded that the UK would lose influence in the EU as it would no longer participate in EU institutions. However, it noted EU law would continue to apply to the UK during the transition period to be established by the withdrawal agreement. The committee recommended the government take advantage of alternative methods of exerting influence on the EU both during and after the transition period. It identified the following three avenues through which the UK might be able to exert influence:

- Through new “inter-institutional” bodies to be established under the withdrawal agreement and the political declaration. This would include a joint committee and specialised committees established to govern implementation of the withdrawal agreement and act as forums for discussion between the UK and EU. The specialised committees would be formed to consider specific issues, including the border between Northern Ireland and the Republic of Ireland. The political declaration also said that a separate joint committee on the future relationship between the UK and the EU should be established.
- Through less formal arenas, such as UK interaction with EU agencies, UK participation in EU programmes and the UK’s diplomatic representation to the EU.
- Through parliamentary scrutiny of these new UK-EU inter-institutional relations and through an interparliamentary dialogue with the European Parliament, EU member state

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parliaments, and the devolved legislatures.

The committee made a series of other recommendations. For example, the committee argued senior ministers should represent the UK on the joint committees established during and after the transition period. It asked the Government to clarify which senior ministerial postholder would be the lead UK representative on the joint committee on the withdrawal agreement. It argued the joint committee should meet more frequently than the once a year minimum set out in the withdrawal agreement. The committee also raised concerns regarding the transparency of the work of the joint committee on the withdrawal agreement and the specialised committees, arguing there were no provisions to ensure UK parliamentary oversight.

The Government's response to the committee's report was delayed. It was eventually published in January 2020. [Writing to the Chairman of the EU Committee, the Earl of Kinnoull, the then Secretary of State for Leaving the EU, Steve Barclay](#), explained the Government did not want to respond to the report until it had secured its revised withdrawal agreement. The [revised withdrawal agreement and political declaration](#) were agreed between the UK and the EU in October 2019. The revised withdrawal agreement was formally ratified by both sides in January 2020. The revised withdrawal agreement also established a joint committee on the withdrawal agreement and specialised committees. Similarly, the creation of a joint committee on the implementation and operation of the future relationship was included in the revised political declaration.

In its [response to the committee's report, the Government said](#) it would continue to promote UK interests in the EU during the transition period. On the issue of how frequently the joint committee on the withdrawal agreement would meet, the Government said it would meet as often as was required by the parties. It noted the withdrawal agreement said that, while there would be a minimum of one meeting a year, either party could request a meeting within 30 days. On the issues of representation and parliamentary scrutiny, the Government said it had committed to the UK co-chair of the joint committee being a minister and that minister would be accountable to Parliament. The joint committee would be co-chaired on behalf of the UK by the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, Michael Gove. In a [letter to a group of chairs of the House of Commons committees on 24 March 2020](#), Mr Gove said he intended to lay a written statement ahead of each meeting of the joint committee. He also said he would consider making an oral statement after each meeting on a "case by case" basis.

Regarding the establishment of a separate joint committee on the future relationship, the Government said in its response to the committee the structure and operation of such a committee would depend on the nature of the future relationship negotiated with the EU.

Since the publication of the Government's response to the committee's report, the following developments have taken place:

- The UK ceased to be a member of the EU on 31 January 2020 and entered into the transition period set out in the withdrawal agreement.
- The UK Representation to the EU was [replaced by the UK Mission to the EU in February 2020](#). The UK's Permanent Representative to the EU, Sir Tim Barrow, was appointed as the UK's EU Ambassador.

- The first meeting of the Withdrawal Agreement Joint Committee [took place on 30 March 2020](#). Michael Gove did not make a written or oral statement following the meeting. However, the Cabinet Office published a [summary of what took place during the meeting](#).
- Michael Gove [published a written statement on 28 April 2020 on the negotiation between the UK and the EU](#), held on 20–24 April 2020.
- The European Commission published its proposed [draft text of a new partnership between the EU and the UK](#) on 18 March 2020. The UK has shared its proposed draft legal texts on aspects of the future relationship with the European Commission, but they have not so far been made public.

Edward Scott | 6 May 2020

### Further Information

- House of Lords European Union Committee, [Beyond Brexit: How to Win Friends and Influence People](#), 25 March 2019, HL Paper 322 of session 2017–19, pp 3–6 and 54–62

*Summary, background information and recommendations of the committee's report on the UK's influence on the EU during the transition period and as part of a future relationship.*

- Department for Exiting the European Union, '[Letter from Rt Hon. Steve Barclay MP, Secretary of State for Exiting the European Union ref Government responses](#)', 17 January 2020

*Letter stating the Government's reasons for delaying publication of its response to the committee's report.*

- Department for Exiting the European Union, [Government Response to the House of Lords European Union Committee's 35th Report of Session 2017–9, Beyond Brexit: How to Win Friends and Influence People](#), 17 January 2020

*Government's response to the committee's recommendations.*

- House of Lords European Union Committee, [Brexit: The Revised Withdrawal Agreement and Political Declaration](#), 10 January 2020, HL Paper 4 of session 2019–21, pp 3 and 10–13

*Summary of the committee's report on the revised withdrawal agreement and political declaration, as well as commentary on the provisions in the withdrawal agreement concerning the establishment of the joint committee and specialised committees.*

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

*Summary of the process for the ongoing negotiations to establish a future relationship between the UK and the EU following the end of the transition period.*

- UK Mission to the European Union, '[UK Rep becomes UK Mission as the UK leaves the EU](#)', 4 February 2020

*Announcement of the creation of a UK diplomatic mission to the EU.*

- Chancellor of the Duchy of Lancaster, '[Correspondence from the Chancellor of the Duchy of Lancaster to the Chairs of Select Committees, relating to Parliamentary scrutiny of the Joint Committee on the UK–EU Withdrawal Agreement](#)', 24 March 2020

*Letter regarding parliamentary scrutiny of the withdrawal agreement joint committee and specialised committees.*

- Chairs of House of Commons Committees, '[Correspondence to the Chancellor of the Duchy of Lancaster from the Chairs of Select Committees, relating to Parliamentary scrutiny of the Joint Committee on the UK–EU Withdrawal Agreement](#)', 1 May 2020

*Response to Michael Gove's 6 April 2020 letter on parliamentary scrutiny of the withdrawal agreement joint committee and specialised committees.*

- House of Commons Committee on the Future Relationship with the European Union, '[Oral Evidence: Progress of the negotiations on the UK's Future Relationship with the EU, HC 203](#)', 11 March 2020, Q 1–13

*Extracts from an oral evidence session with Michael Gove prior to the first meeting of the joint committee on the withdrawal agreement.*

- UK in a Changing Europe, '[The Specialised Committee on the Protocol on Ireland/Northern Ireland](#)', 28 April 2020

*Summary of issues to be considered by the specialised committee on the protocol concerning Northern Ireland.*

- European Commission, '[Statement by the European Commission following the first meeting of the EU-UK Joint Committee](#)', 30 March 2020; and Cabinet Office, '[First meeting of the Withdrawal Agreement Joint Committee](#)', 30 March 2020

*Summaries from the European Commission and the UK Government on the first meeting of the joint committee on the withdrawal agreement.*

- European Commission, '[Negotiations with the UK: Michel Barnier, the European Commission's Chief Negotiator, sets out points of convergence and divergence following the first round of negotiations](#)', 5 March 2020

*Statement from the European Commission's chief negotiator on the beginning of the negotiation between the UK and the EU on the future relationship.*

- UK Parliament, '[New Sub-Committees appointed by the European Union Committee](#)', 5 March 2020 and House of Lords Procedure Committee, [First Report of Session 2019–21](#), HL Paper 29 of Session 2019–21, 2 March 2020, pp 6–7

*Information on the new sub-committees to be appointed by the European Union Committee following the UK's withdrawal from the EU and their proposed terms of reference.*

### **Parliamentary Debate, Statements and Questions**

- [Oral statement on 'Brexit: Powers of EU-UK Joint Committee'](#), HL Hansard, 20 March 2019, cols 1436–8
- [Oral Statement on 'Global Britain'](#), HL Hansard, 3 February 2020, cols 1655–69
- House of Commons, '[Written Statement: First meeting of the Withdrawal Agreement Joint Committee](#)', 25 March 2020, HCWS190
- House of Commons, '[Written Statement: Negotiations on the UK's future relationship with the EU: Update](#)', 28 April 2020, HCWS209

### **Press Articles and Comment**

- BBC News, '[Brexit negotiator says UK must be able to set its own laws](#)', 17 February 2020
- Lisa O'Carroll, '[Brexit talks: who is involved and what is being covered?](#)', *Guardian*, 24 April 2020
- BBC News, '[EU-UK Brexit talks: Differences clear after first week](#)', 5 March 2020
- Catherine Neilan, '[Brexit trade talks: Michel Barnier cites "serious differences" between EU and UK stances](#)', *City AM*, 5 March 2020