



Department
for Exiting the
European Union

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Rt Hon Hilary Benn MP
Chair, Exiting the EU Committee
House of Commons
London
SW1A 0AA

7 March 2019

Dear Hilary,

Further to my recent correspondence, I am writing to provide an update on our progress to transition existing EU - third country international agreements in the event that the UK leaves the EU without a deal.

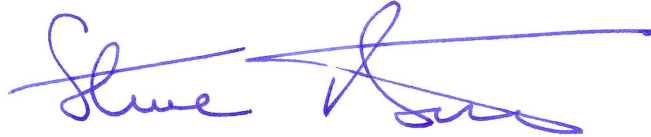
I am today laying a Written Ministerial Statement setting out progress in this important area of work. I have enclosed guidance which we will publish shortly on gov.uk which will support stakeholders in preparing for our departure from the EU, and an annexed list of agreements for your information. This list details those agreements that the Government is seeking to transition in a no deal scenario, and clarifies whether they are expected to be in place for 29 March 2019, where engagement is ongoing or will not be in place. We will keep Parliament updated as further international agreements are agreed, signed and ratified.

The Government's intention is to lay treaties subject to ratification before Parliament under the Constitutional Reform and Governance Act 2010 (the CRaG Act) in the normal way. However, given that there are limited sitting days, we are also exploring other means through which we could prevent any potential gaps. One option would be the use of provisional application; this would not reduce or exclude Parliament's opportunity to scrutinise international agreements, which would still be laid for scrutiny under the CRaG Act, but would mean the agreements would apply from day one rather than following ratification. This would enable the Government to deliver its policy objective of securing continuity for the effects of existing EU - third country international agreements as far as possible. In exceptional cases it may be justified for the Government to use its powers under Section 22 of the Constitutional Reform & Governance Act 2010 and ratify a treaty without parliamentary scrutiny, thus ensuring continuity from exit day.

My officials are continuing to hold constructive discussions with third countries and we intend to sign further agreements in the coming weeks. Through the new gov.uk guidance and ongoing engagement with your Committee directly we will keep the public and Parliament informed of our progress as agreements are signed.

In the interests of transparency, a copy of this letter, the accompanying guidance and the attached list will be deposited in the library of both Houses.

I am writing in similar terms to the Chairs of the European Scrutiny Committee and the Procedure Committee as well as the Chairs of the European Union Committee, the Constitution Committee and the Secondary Legislation Scrutiny Committee in the House of Lords.

A handwritten signature in blue ink, appearing to read 'Steve Barclay', with a long horizontal stroke extending to the right.

RT HON STEVE BARCLAY MP
SECRETARY OF STATE FOR EXITING THE EUROPEAN UNION