



Foreign Affairs Committee

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Rt Hon Steve Barclay MP
Secretary of State for Exiting the EU
Department for Exiting the EU

5 February 2019

Thank you for your letter of 25 January, updating the Committee on the Government's progress in rolling over or replacing EU agreements with third countries. The Committee has also noted the evidence heard by the International Trade Committee on 30 January, in which FCO Official Sarah Taylor said she did not have "absolute confidence" that all EU Association Agreements would be rolled over by 29 March 2019.

The Committee would like to ask more specifically about your progress in rolling over three agreements that are relevant to the Committee's current inquiries. These are:

The EU-Ukraine Association Agreement

The Trade Agreement between the EU and Columbia and Peru

The EU-Egypt Association Agreement

In your response, we would be grateful if you could set out:

- What preliminary and preparatory work has been undertaken by the UK government to scope these agreements;
- Which Government Department is leading on each agreement, and how cross-Government co-ordination is being managed;
- What discussions have already taken place with negotiating partners in the relevant countries;
- The extent of progress on each agreement to date; and
- A timetable for agreement and ratification of each agreement.

We would appreciate a response by Wednesday 20 February. We intend to place this correspondence in the public domain, but will of course be open to advice from you regarding any matters of potential sensitivity.

Tom Tugendhat MP
Chair



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**Minister of State for
Europe and the Americas**

19 February 2019

Tom Tugendhat MP,
Chair of the Foreign Affairs Committee
Committee Office, House of Commons
London, SW1A 0AA

Dear Tom,

Thank you for your letter of 5 February in which you asked about progress in rolling over the EU-Ukraine Association Agreement, the EU-Egypt Association Agreement, and the Trade Agreement between the EU and Colombia, Peru and Ecuador. I am replying in my capacity as FCO Minister of State responsible for Third Country Agreements.

The Government is working to conclude a Withdrawal Agreement with the EU, and under the terms of such an agreement we would not need successor trade agreements until the end of the Implementation Period, in December 2020. But as a responsible Government should, we have also been preparing for a no deal scenario. As you will know, the Government has been working with third countries for around two years to put in place arrangements to deliver continuity of the effects of existing EU international agreements, which would come into force either in March in the event of no deal or at the end of the Implementation Period.

The Department for International Trade (DIT) is the primary Government department leading on trade agreement continuity. When the Trade Agreement Continuity Programme was established, it was agreed that lead responsibility for the individual agreements would be divided among DIT, FCO and DFID, so the programme could benefit from those departments' particular areas of expertise. All the lead officers are supported within the same governance structures, and draw on support from departments across Whitehall as appropriate.

The FCO has lead responsibility for sixteen Association Agreements, including the EU-Egypt Association Agreement and the EU-Ukraine Association Agreement. These agreements include political and non-trade titles alongside the trade elements. It is appropriate that the FCO brings its political focus and expertise to these agreements, whilst relying on DIT and other Departments to contribute to specific other areas on which they have the policy lead. DIT lead on the Trade Agreement between the EU and Columbia, Peru and Ecuador which is a more traditional Free Trade Agreement.

Overall we are making good technical progress across the continuity programme. Ministers and officials are engaging regularly to support and complete this work. However, reaching a final agreement with our trading partners will depend on multiple factors affecting those discussions, some of which concern political or constitutional considerations in partner countries. As I am sure you will appreciate discussions are at a particularly sensitive and critical point and it is therefore difficult – as well as being potentially damaging to our relationships with partner countries - to commentate on what is an ever changing landscape.

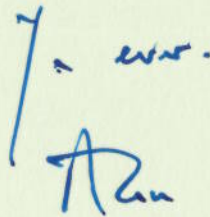
The timeline for a “no deal” outcome is, of course, tighter. We nevertheless continue to work closely with partner countries to avoid disruption. For any agreements which miss this deadline, we will work to ensure that any gap in agreement coverage is kept as short as possible.

Whilst for reasons of political sensitivity, as set out above, I am unable at this time to elaborate on the specific preliminary and preparatory work we have undertaken. I am able to provide a general summary of our approach to replicating international agreements:

- We begin with initial scoping conversations to agree our overall approach to replication.
- Proposed texts are shared with third countries for analysis.
- Working groups are established to solve pertinent issues and areas of disagreement

When these working groups complete their discussions we are able to sign an agreed text and proceed to Parliamentary scrutiny and ratification in accordance with the Constitutional Reform and Governance Act 2010.

The Government provides copies of signed treaties to the Foreign Affairs Committee and the Lords’ EU Committee as they are laid in Parliament for scrutiny, as well as publishing those treaty texts on gov.uk.

A handwritten signature in blue ink, appearing to read 'Alan Duncan', with a vertical line extending upwards from the 'A'.

RT HON SIR ALAN DUNCAN MP