



Department
for Exiting the
European Union

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Tom Tugendhat MP
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29 March 2019

Dear Tom,

Further to my letter of 21 March on international agreements, I am writing to provide some information on this programme of work and on the impact of the extension agreed between the EU and the UK. I have enclosed a list setting out the details of the progress we have made on international agreements.

As you are aware, the EU and the UK agreed an extension to Article 50, which is legally binding in international law. On Wednesday, Parliament passed the SI to update the definition of Exit date in UK law accordingly. For international agreements, to which the UK is party through our membership of the EU, these will continue to apply through the extension as they do now.

We continue to work closely with third countries and international organisations to deliver successor agreements for Exit day and we will continue to lay treaties subject to ratification before Parliament for scrutiny in accordance with the provisions of the Constitutional Reform & Governance Act 2010 ('the CRaG Act').

Regarding bilateral treaties that have already been signed and / or laid for scrutiny prior to ratification, I can assure you that the drafting of these agreements ensures that the entry into force provisions are not impacted by the extension. These agreements variously provide, for example, for a further step to be taken to provisionally apply an agreement or to bring the agreement into force (such as an exchange of notes confirming the completion of internal procedures), or for entry into force when the previous EU agreement ceases to apply to the UK. As for multilateral agreements, officials are working with the relevant depositories to ensure that the UK will only accede to these agreements on the revised Exit date in the event of no deal, or otherwise at the end of the Implementation Period. The information I have previously provided lists those multilateral agreements in this programme of work.

I am, however, aware of instances where the accompanying documents to the treaties (for example the Explanatory Memoranda, Ministerial letters, and Parliamentary reports in respect of the trade agreements) refer to '30th March' as the date the existing EU-third country agreement ceases to apply to the UK (on the basis of the 29th March being the date the UK was to leave the EU), and therefore, '30th March' as the date the agreement could enter into force. I would ask that where this is the case, '30th March' is construed as meaning the day the obligations under the relevant EU agreements cease to apply whether



that be the date that the UK leaves the EU in the event of no deal or at the end of the Implementation Period.

I am pleased to inform you that 34 agreements have now completed the scrutiny process under the Constitutional Reform and Governance Act (2010), with the following completing this week:

- US and UK mutual recognition of certificates of conformity for marine equipment
- Mutual recognition agreement between the UK and the US
- Government Procurement Agreement
- Free trade agreement with Switzerland

I also wanted to let you know that the CARIFORUM Economic Partnership Agreement and an agreement with Indonesia on forest, law enforcement, trade and governance have recently been signed and will begin the parliamentary scrutiny process shortly. Furthermore, the Civil Aviation Authority has signed an Air Safety Arrangement with Canada, which is a technical agreement between independent safety regulators.

The attached list sets out updates which will be made on gov.uk shortly. For those agreements that will not be in place or will carry a gap in a no deal scenario, Departments are doing everything possible to accelerate this work and will continue to provide as much clarity as possible.

Furthermore, my Department is publishing consolidated information on the impact of our exit from the EU on the EEA EFTA States (Norway, Iceland and Liechtenstein), and Switzerland. Given the wide range of relevant measures we've taken, the number of agreements we've signed with these countries and the breadth of guidance we've issued pertinent to these countries, this page will signpost these in one place for the benefit of citizens and businesses. I have enclosed a copy of this guidance for your information.

I trust you will welcome this update which clearly demonstrates the success of the ongoing work to deliver these international agreements as we prepare to leave the EU.

I will deposit this letter and the attached list of agreements in the House Library. Furthermore to ensure the records are correct, I will continue to write to you, providing updates on a weekly basis. Do let me know if you have any questions on this programme of work to transition international agreements and I would be glad to meet you to discuss this further.

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



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Key	
Will be in place	These agreements have been agreed/signed and where required are subject to parliamentary scrutiny in the UK and the Third Country
Alternative arrangement will be in place to deliver the effect of the agreement	Agreement is not being delivered in its original form but an alternative means of continuing the effect of the agreement has been confirmed with the Third Country
Engagement Ongoing	Engagement is ongoing with Third Countries and we will continue to update this list
Will not be in place	These will not be in place for 12th April in a No Deal scenario

Aviation

Name	Description	Will this agreement or arrangement be in place by 12 April in event of No Deal scenario	Additional Comment	Lead Department	Country	Source
Canada Air Safety Arrangement	This arrangement facilitates recognition of each other's certification and approval processes, therefore reducing the requirement for relevant products and processes to undergo dual certification or inspection.	Will be in place	Agreed on 26 March. For further information please see article [https://www.caa.co.uk/Commercial-industry/Aircraft/Airworthiness/Organisation-and-maintenance-programme-approvals/Bilateral-agreements/What-is-a-bilateral-agreement/] published by the Civil Aviation Authority	DfT	Canada	Agreement on civil aviation safety between the European Community and Canada
It is standard international practice for new Air Services Agreements (ASAs), or amendments to existing ASAs, to be applied administratively via a Memorandum of Understanding (MOU) pending signature and completion of respective domestic legal requirements. This is with the exception of Switzerland, where domestic Swiss requirements mean that the replacement UK-Swiss ASA is being ratified ahead of entry into force.						

Justice and Home Affairs

Name	Description	Will this agreement or arrangement be in place by 12 April in event of No Deal scenario	Additional Comment	Lead Department	Country	Source
Hague 2005	The Convention aims to ensure the effectiveness of exclusive choice of court agreements between parties to international commercial transactions. It does this by providing rules on jurisdiction, including a requirement on non-chosen courts to cede jurisdiction to a chosen court, and enforcement of any resulting judgment.	Will be in place	We will seek to ensure the convention comes into effect as soon as possible after exit under a 'No Deal' scenario. For further information please see published article (https://www.gov.uk/government/publications/handling-civil-legal-cases-that-involve-eu-countries-if-theres-no-brexite-deal/handling-civil-legal-cases-that-involve-eu-countries-if-theres-no-brexite-deal).	MOJ	N/A - Multilateral	Hague Convention of 30 June 2005 on Choice of Court Agreements
Hague 2007	The Convention provides rules for the international recovery of child support and other forms of family maintenance, and for administrative cooperation between contracting states. It provides rules for recognition and enforcement of maintenance decisions across borders.	Will be in place	We will seek to ensure the convention comes into effect as soon as possible after exit under a 'No Deal' scenario. For further information please see published article (https://www.gov.uk/government/publications/handling-civil-legal-cases-that-involve-eu-countries-if-theres-no-brexite-deal/handling-civil-legal-cases-that-involve-eu-countries-if-theres-no-brexite-deal).	MOJ	N/A - Multilateral	Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance

Livestock

Name	Description	Will this agreement or arrangement be in place by 12 April in event of No Deal scenario	Additional Comment	Lead Department	Country	Source
United States Veterinary Equivalence Agreement	This agreement provided a framework for communication and cooperation on trade in live animals and animal products.	Will not be in place - agreement was signed on the 30th January, but remains subject to final ratification/notice of completion by both the UK and the partner country. Bridging mechanisms and mitigations are being considered for the short gap between 12th April and entry into force. For further information please contact DEFRA (defra.helpline@defra.gov.uk)	We have concluded that this agreement does not need to be transitioned. We are satisfied that trade will not be affected as a result of this agreement not being in place. This approach has been agreed with the United States. For further information please contact DEFRA (defra.helpline@defra.gsi.gov.uk)	Defra	United States	Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products Agreement in the form of an exchange of letters on the amendments to the Annexes to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products

Organic Equivalence

Name	Description	Will this agreement or arrangement be in place by 12 April in event of No Deal scenario	Additional Comment	Lead Department	Country	Source
Argentina Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of Argentina.	Will be in place	For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	Argentina	Argentina Organic Equivalence Arrangement
Australia Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of Australia.	Will be in place	For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	Australia	Australia Organic Equivalence Arrangement
Canada Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of Canada, and for this to be reciprocated.	Will be in place	For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	Canada	Canada Organic Equivalence Arrangement
Chile Organic Equivalence Agreement	This agreement delivers continuity on promoting trade in Organic Products between the UK and Chile.	Will not be in place - agreement was signed on the 30th January, but remains subject to final ratification/notice of completion by both the UK and the partner country. Bridging mechanisms and mitigations are being considered for the short gap between 12th April and entry into force. For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Agreement was signed on the 30th January, but remains subject to final ratification/notice of completion by both the UK and the partner country. Bridging mechanisms and mitigations are being considered for the short gap between 12th April and entry into force. For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	Chile	Chile Organic Equivalence Agreement
Costa Rica Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of Costa Rica.	Will be in place	For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	Costa Rica	Costa Rica Organic Equivalence Arrangement
India Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of India.	Will be in place	For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	India	India Organic Equivalence Arrangement
Israel Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of Israel, and for this to be reciprocated.	Will be in place	For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	Israel	Israel Organic Equivalence Arrangement
New Zealand Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of New Zealand, and for this to be reciprocated.	Will be in place	For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	New Zealand	New Zealand Organic Equivalence Arrangement
Japan Organic Equivalence Arrangement	This arrangement sets out the basis for UK recognition of the relevant organics standards of Japan, and for this to be reciprocated.	Will not be in place - we are working with Japan to ensure that any gap is kept to a minimum and mitigations are in place to reduce the impact. For further information please contact DEFRA (defra.helpline@defra.gov.uk)	We are working with Japan to ensure that any gap is kept to a minimum and mitigations are in place to reduce the impact. For further information please contact DEFRA (defra.helpline@defra.gov.uk)	Defra	Japan	Japan Organic Equivalence Arrangement

Trade

Name	Description	Will this agreement or arrangement be in place by 12 April in event of No Deal scenario	Additional Comment	Lead Department	Country	Source
CARIFORUM Economic Partnership Agreement	This agreement allows for preferential trading between the UK and the CARIFORUM states.	Will be in place	For further information please see published article https://www.gov.uk/government/news/trade-agreement-continuity	DIT	Antigua and Barbuda, Bahamas, Barbados, Belize, Cuba, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Suriname, Trinidad and Tobago	Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part

Wider Trade and Customs

Name	Description	Will this agreement or arrangement be in place by 12 April in event of No Deal scenario	Additional Comment	Lead Department	Country	Source
Agreement on Government Procurement	The agreement sits under the umbrella of the WTO as a plurilateral agreement. It governs the liberalisation and operation of the parties' procurement markets.	Will be in place no later than 12 May 2019	The GPA Committee invited the UK to accede on 27 February. While there may be a short period of less than a month before the GPA takes legal effect in a no deal scenario, disruption to businesses is likely to be minimal. The Government has made guidance available to businesses available here https://www.gov.uk/government/publications/government-procurement-agreement-uk-participation-after-eu-exit/bidding-for-government-contracts-overseas-in-a-no-deal-brexite and here https://www.gov.uk/government/news/wto-agreement-secures-13-trillion-market-for-british-contractors	CO/DIT	N/A - Multilateral	Agreement on Government Procurement