



Department  
for Exiting the  
European Union

Rt Hon Dominic Raab MP  
Secretary of State for  
Exiting the European Union  
9 Downing Street  
SW1A 2AG

+44 (0)20 7004 1234  
[psdominicraab@dexeu.gov.uk](mailto:psdominicraab@dexeu.gov.uk)  
[www.gov.uk](http://www.gov.uk)

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

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Dear chair,

Thank you for your letters of 16 October and 18 October. I recognise the important work that the Committee continues to undertake in scrutinising the ongoing negotiations with the EU and, as indicated to you at the conclusion of the evidence session on 24 July, I would be happy to give evidence to the Committee when a deal is finalised, and currently expect 21 November to be suitable.

Of course I understand that ahead of and following any evidence session the Committee will want to pursue its valuable scrutiny of my department's work. As such I am pleased to set out responses to the Committee's most recent questions below which I trust will prove helpful and, as ever, I continue to welcome further such correspondence with Committee.

### **Withdrawal Agreement and Northern Ireland 'backstop'**

In regard to outstanding withdrawal issues, as the Prime Minister set out to the House in her oral statement of 15 October and 22 October, we have made a great deal of progress over the past few weeks. Taking all of this together, 95 per cent of the Withdrawal Agreement and its protocols are now settled, and we have made good progress on the structure and scope of the future relationship.

We have brought forward, as we committed to following the Salzburg Summit, new proposals for the Northern Ireland protocol. That has helped unlock the recent progress, underpinned by our shared commitment to the preservation of the Belfast/Good Friday Agreement and the protection of the hard won peace and stability in Northern Ireland. This commitment is clear, for example, in paragraph 53 of the December Joint Report, to ensuring that no diminution of rights is caused by its departure from the EU, including in the area of protection against forms of discrimination enshrined in EU law. The 'no diminution' commitment, which will be reflected in legal text in the Northern Ireland/Ireland Protocol to the draft Withdrawal Agreement, means that the rights, safeguards and equality of opportunity provisions set out in the Belfast Agreement, insofar as they are enforceable in domestic law in Northern Ireland on Exit day, cannot be diminished as a result of UK Exit.

The proposals we have put forward for our future economic relationship would allow both sides to meet our commitments to the people of Northern Ireland in full, and we are working hard to get a deal on that basis. And, while we are all committed to ensuring that this future relationship is in place by the end of the implementation period, as the Prime Minister told the House on 22 October, there are four steps we need to take to agree a backstop. First, we must make the commitment to a temporary UK-EU joint customs territory legally binding so that the Northern Ireland-only proposal is no longer needed. Second, to create an option to extend the implementation period as an alternative to the backstop. Third, to ensure that, were we to need either of these insurance policies, whether the backstop or a short extension to the implementation period, we could not be kept in either arrangement indefinitely. And fourth, for the Government to deliver the commitments we have made to ensure full continued access for Northern Ireland's businesses to the whole of the UK internal market.

The UK has been clear, and has reaffirmed, that we are committed to turning all of the commitments in the December Joint Report into legally binding text in the Withdrawal Agreement. There are concerns on both sides: for us on our constitutional and economic integrity, and the protection of the UK's own single market; for the EU on the integrity of the EU's Single Market and Customs Union.

Despite our differences, we are not far from an agreement on this issue. We agree on the principle of a UK wide customs backstop. An agreement on the details of that backstop should be possible.

With regards to the Committee's question on the backstop, we are still negotiating with the EU. As is normal practice, we will not share material linked to live negotiations.

However, the Prime Minister has been open with the House on what our position is and where the problems lie. Once we do reach an agreed way forward, we will of course want to ensure the House plays a proper role in scrutinising the deal before voting on it.

Both sides agree that this backstop cannot provide for a permanent UK/EU relationship and are committed to a future relationship that works for the whole of the UK, including Northern Ireland. We are open to talking about ways to achieve this and committed to continuing discussions in order to reach an agreement.

The end is now firmly in sight and, while obstacles remain, it cannot be beyond us to navigate them. We have resolved most of the issues and we are building up together what the future relationship should look like and making real progress. So we now need to acknowledge the progress that has been made and now work rapidly through the remaining issues and come to an agreement that works for both sides.

## **'No deal' preparations**

You asked about no deal preparations and though we do not want or expect a no deal scenario, it is the duty of a responsible Government to prepare for a range of potential outcomes.

Extensive work to prepare for a 'no deal' scenario has been under way for almost two years. For instance, we have already successfully passed critical legislation, signed international agreements, recruited additional staff and guaranteed certain EU funding in a 'no deal' scenario. Given the lead-times to implement some of our 'no deal' plans, we have not waited until the final outcome of the negotiations to begin preparations. We also recognise that businesses may have already started preparing for the UK's exit from the EU for a range of scenarios.

We have now published 106 specific technical notices to help businesses, citizens and consumers to prepare for March 2019 in the event of a no-deal scenario. This does not reflect an increased likelihood of 'no deal;' an acceleration at this point was long-planned to ensure plans are in place by March 2019 in the unlikely scenario they are needed. We are simply taking necessary steps to ensure the country continues to operate smoothly from the day we leave. Our objective is to minimise disruption by taking unilateral action to prioritise continuity and stability.

## **Joint Mapping Exercise**

Finally I am aware of the letter the former Secretary of State for Exiting the EU, Rt Hon David Davis MP, wrote to the Committee committing to publishing the results of the North-South cooperation mapping exercise as soon as they are available.

Currently, the joint mapping exercise remains part of ongoing negotiations with the EU and further work has been agreed to finalise it. We are confident that an agreement will be reached and are hopeful that we can conclude this soon. We would, of course, seek to coordinate any release of information with the Commission.

*Dom Raab*



**RT HON DOMINIC RAAB MP  
SECRETARY OF STATE FOR EXITING THE EUROPEAN UNION**