



# HOUSE OF LORDS

European Union Committee

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Rt Hon Michael Gove MP  
Chancellor of the Duchy of Lancaster  
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19 November 2020

Dear Michael,

In March 2017 the European Union Select Committee published a report on *Brexit: the Crown Dependencies*, which analysed the impact of UK withdrawal on the Crown Dependencies, taking account of evidence heard from the then Chief Ministers of Guernsey, Jersey and the Isle of Man. As the UK-EU negotiations draw to a conclusion and the end of the transition period approaches, I am writing to invite you to revisit the issues set out in our March 2017 report.

Our report stressed the significance of three intertwined, and potentially conflicting, priorities for the Crown Dependencies in the context of the Brexit negotiations, namely:

- Maintenance of their centuries-old constitutional relationship with the UK;
- Retention so far as possible of the benefits of the existing relationship between the Crown Dependencies and the EU; and
- The evolution of the Crown Dependencies' international identities, while respecting the UK's constitutional obligation to represent them in matters of defence and international relations.

We concluded that “The UK Government has a constitutional responsibility to represent the interests of the Crown Dependencies in the Brexit negotiations”, and “must continue to fulfil its constitutional obligations to represent the interests of the Crown Dependencies in international relations, even where these differ from those of the UK, both during the Brexit negotiations and beyond.” We therefore called on the Government “to ensure that the Crown Dependencies remain fully involved as negotiations proceed, and that their concerns and priorities are properly taken into account by the UK negotiators.”

In that context, we would be grateful for your comments on the following questions:

1. What steps has the Government taken to ensure that the concerns and interests of the Crown Dependencies have been taken into account during the future relationship negotiations with the EU?
2. Will any UK-EU future relationship agreement take account of the Crown Dependencies' unique relationship with the UK and the EU, including the Channel Islands' bilateral relationship with France?
3. What steps are you taking to protect the Crown Dependencies' trade in goods with the EU, in particular in fisheries, agriculture and manufacturing?

4. How is the Government taking into account the specific interests of the Crown Dependencies in relation to any UK-EU agreement on fisheries, in particular given that a Permissive Extent Clause was added to the Fisheries Bill against the objections of Guernsey and Jersey, which the Constitution Committee argued “undermines the domestic autonomy of the Crown Dependencies and is contrary to long-standing practice”?
5. Can you elaborate on the Government’s intention to establish a committee with the Crown Dependencies to discuss implementation of international obligations, including in relation to fisheries obligations?
6. What consideration are you giving to the impact of the UK’s withdrawal from the London Fisheries Convention on Guernsey’s fisheries industry and its engagement with the French fisheries industry?
7. What steps will you take to ensure that the UK continues to provide support to the Crown Dependencies in their discussions with the EU about financial services cooperation, equivalence and related matters?
8. What account are you taking of the impact of UK withdrawal on the ability of EU citizens to reside and work in the Crown Dependencies, given the particular impact on the agriculture, health, financial services and tourism sectors?
9. What steps are you taking to ensure that the Crown Dependencies’ existing data protection cooperation, transport and communication links, and energy cooperation with the EU are able to continue?
10. How are you taking account of the requirement for the Crown Dependencies to complete their own internal consent procedures before the end of the transition period to the terms of any future relationship agreement applying to them?
11. How is the Government keeping the Crown Dependencies fully apprised of, and are you giving them an opportunity to participate in, future UK-third country free trade agreements?

We would be grateful for a response to this letter, taking account of the outcome of the UK-EU negotiations, by 3 December 2020.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kinnoull', with a horizontal line underneath.

Lord Kinnoull  
Chair of the European Union Committee