

European Scrutiny Committee

House of Commons London SW1A 0AA

Tel (020) 7219 3292 Email escom@parliament.uk Website www.parliament.uk/escom

From: Sir William Cash MP

9 December 2020

Nigel Adams MP
Minister of State
Foreign, Commonwealth and Development Office
King Charles Street
London SW1A 2AH

EU Permanent Structured Cooperation in Defence

Thank you for your Explanatory Memorandum of 25 November 2020 on the rules recently agreed by the EU for optional participation by “third States” like the UK in the 46 projects for closer military cooperation under the EU’s new framework for Permanent Structured Cooperation in Defence (PESCO).¹

We note that the Government has not identified any of the current PESCO projects for closer defence cooperation as meriting a formal expression of UK interest at this stage, but that the situation will be kept under review as the “third country” rules are implemented and the participating EU countries develop these projects further. You cite in particular the potential difficulties that could arise from a strict interpretation of the new rules surrounding the export and transfer of military technology and intellectual property arising from PESCO projects to non-EU jurisdictions could present as a barrier to possible UK participation.

In light of the significant political implications that a future decision for the UK to become involved in PESCO may entail, we would be grateful if you could confirm that the Government would notify Parliament in advance of any formal expression of interest being made to the EU for participation in a particular PESCO project, to enable full and detailed parliamentary scrutiny and debate to take place about the costs and benefits of the UK’s potential involvement.

¹ [Council Decision \(CFSP\) 2020/1639](#) establishing the general conditions under which third States could exceptionally be invited to participate in individual PESCO projects.

We look forward to receiving your reply by 15 January 2021.

I am copying this letter to the Rt Hon Tobias Ellwood MP, Chair of the Defence Committee and Mark Etherington, Clerk of that Committee; to Tom Tugendhat MP, Chair of the Foreign Affairs Committee and Chris Shaw, Clerk of that Committee; Lord Kinnoull and Christopher Johnson in the Lords; to James Ward at the Ministry of Defence; and to Adam Nutley at your Department.

CHAIR