



Northern Ireland Affairs Committee

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Vice-President of the European Commission
Co-Chair of the EU-UK Joint Committee

From the Chair
Simon Hoare MP

By email only

9 June 2021

Dear Maroš,

As you know, my Committee, the Northern Ireland Affairs Committee, has been taking evidence from a range of businesses and other stakeholders on the operation of the Northern Ireland Protocol throughout the early part of this year. A recurring theme of these discussions has been how to ensure the greatest possible legal clarity for people affected by EU laws that apply under the Protocol, particularly as they evolve over time.

My Committee has discussed this issue and agreed to ask you respectfully to consider including relevant information in proposed EU legal acts which the European Commission has assessed as being within scope of the Protocol. We believe that this approach would make the operation of the Protocol more transparent for stakeholders in not only Northern Ireland, but Great Britain and the EU who may be affected by EU laws made applicable by the Protocol. By assisting in public scrutiny of the Protocol's implementation, such a process would also help build public confidence in the way it is applied

Our suggestion is that:

- each proposed EU legal act include a recital stating whether it engages the UK's obligations under the Protocol: and
- the explanatory memorandum accompanying the proposed an act set out the basis on which the European Commission considers that it should apply in Northern Ireland.

We believe that this process, by providing an early indication of the EU's position, would be helpful in ensuring that the implications of EU proposals for Northern Ireland can be examined before they become EU law. This in turn should ensure that stakeholders likely to be affected are better prepared for and able to adapt more easily to changes in EU law which may apply in Northern Ireland.

We note that Article 15 of the Protocol creates a mechanism for the EU to inform the UK of "planned Union acts" within the Protocol's scope through the Joint Consultative Working Group (JCWG). However, details of JCWG meetings are not made public, and we believe our proposal would have the additional benefit of making this information available to those businesses and agencies affected by it at an earlier stage.

We hope that you will agree with the merits of this proposal, and will consider it together with your colleagues in the Commission.

Simon Hoare MP

Chair, Northern Ireland Affairs Committee