



HOUSE OF LORDS

European Affairs Sub-Committee on the Protocol
on Ireland/Northern Ireland

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Rt Hon Elizabeth Truss MP
Secretary of State for Foreign,
Commonwealth and
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Foreign, Commonwealth and
Development Office
King Charles Street
London, SW1A 2AH

7 January 2022

Dear Foreign Secretary

On behalf of the House of Lords Sub-Committee on the Protocol on Ireland/Northern Ireland, which I Chair, I am writing to you to in connection with your new ministerial responsibilities, working with the Minister for Europe, for all matters relating to the Protocol and its operation.

Following a recommendation by the House's Liaison Committee, the Protocol Committee was established in April 2021 as a Sub-Committee of the European Affairs Committee, in recognition of the need for a dedicated Committee to scrutinise the significant and specific issues arising in the context of the Protocol.

The cross-party membership of the Sub-Committee, drawn from Northern Ireland and the rest of the UK, has a wide range of expertise in Northern Ireland affairs. Our membership represents a range of views, both on Northern Ireland's constitutional position and on the Protocol itself. In view of this, and without prejudice to the views of individual members, we see our task as not to argue for or against the Protocol itself, but rather to scrutinise its operation and impact in an objective and evidence-based manner.

The Committee published an [introductory report](#) in July 2021, which set out the Committee's six core tasks:

- Document-based scrutiny of new or amended EU legislation within the scope of the Protocol.
- Scrutiny of the implications of relevant domestic UK legislation and policy for Northern Ireland.
- Scrutiny of the Northern Ireland-related work of the governance bodies established under the UK-EU Withdrawal Agreement, including the Joint Committee, the Ireland/Northern Ireland Specialised Committee, and the Joint Consultative Working Group.
- Monitoring the Protocol's political and socio-economic impact on Northern Ireland.
- Reviewing the ongoing impact of the Protocol (and of UK withdrawal from the EU more broadly) on the UK-Irish bilateral relationship.
- Developing interparliamentary dialogue in relation to the Protocol, including with the Northern Ireland Assembly and the Irish Oireachtas.

The Committee's report was released shortly after the publication of the Government's Command Paper *Northern Ireland Protocol: the way forward*, and assessed the state of play at that point. Since then, we have examined individual aspects of the Protocol's operation, including Article 2 (rights of individuals), the provision of medicines to Northern Ireland, and the democratic deficit under the Protocol, whereby significant aspects of EU law apply to

Northern Ireland without its prior consent. We wrote to Lord Frost on medicines and on the democratic deficit in November and December 2021, and look forward to your replies following the transfer of departmental responsibility to FCDO.

We were grateful to Lord Frost for agreeing to appear before the Protocol Committee, as well as the European Affairs Committee, given the division of responsibility between the two Committees. I hope that you, or the Minister for Europe, would continue in that vein, to ensure that, as the lead Lords Committee on Protocol-related matters, we are able to engage with you about the Protocol, its operation, and the latest UK-EU discussions. With that in mind, we would like to invite you, or the Minister for Europe as appropriate, to appear before the Committee on a suitable date before the February recess. The Committee's usual meeting time is from 4pm on Wednesday afternoons, but we can be flexible to suit your diary commitments.

I would also welcome the opportunity for a private bilateral discussion either with you, or the Minister for Europe, to discuss how we can best work together over the coming months. I am available to meet you, either remotely or in person, at your convenience.

I have copied this letter to Chris Heaton-Harris MP, Minister for Europe.

Yours sincerely,

A handwritten signature in dark ink that reads "Michael Jay". The signature is written in a cursive style with a small flourish at the end.

Lord Jay of Ewelme
Chair of the Protocol on Ireland/Northern Ireland Sub-Committee

