

Consultation on Government engagement with business and civil society groups on implementation of the Trade and Cooperation Agreement

Ministerial Foreword by the Rt Hon Lord Frost CMG



The Trade and Cooperation Agreement (TCA) is a broad Agreement that touches on the lives of people across the UK in many different ways. I welcome the opportunity, therefore, to ask for views on how we as a Government should be engaging with as wide a range of business and civil society groups as possible. This includes how we best use the formal channels provided for in the Trade and Cooperation Agreement, but also how we continue to engage across Government with a wide range of groups and views.

The new Domestic Advisory Group and the Civil Society Forum, both required by the TCA, will be important ways to hear from those most involved in implementing the Agreement on the ground, and to ensure that everyone's concerns are properly registered as we prepare UK positions in the Partnership Council and other bodies created by the Agreement.

It is important that involvement in these groups is as balanced and representative as it can be. We are therefore planning to seek expressions of interest in the autumn to ensure this will be the case. It is right that we take time to get the structures and participants correct, but also engage outside of these structures as issues arise by continuing existing engagement through individual departments.

Engaging with business and civil society groups on our new relationship with the European Union is of great importance as we shape that relationship, implement our Agreements, and take forward the opportunities presented by Brexit. I look forward to hearing your views and encourage everyone to contribute.

Background

The Trade and Cooperation Agreement (TCA) states that both the UK and the EU will 'consult civil society on the implementation of this Agreement and any supplementing agreement'.

This includes engaging domestically through a Domestic Advisory Group (DAG), and UK and EU stakeholders engaging together through a Civil Society Forum (CSF).

Domestic Advisory Groups

TCA Article 13 states that 'each Party shall consult on issues covered by this Agreement and any supplementing agreement its newly created or existing domestic advisory group or groups comprising a representation of independent civil society organisations including non-governmental organisations, business and employers' organisations, as well as trade unions, active in economic, sustainable development, social, human rights, environmental and other matters.'

The Parties must aim to consult with their DAG at least once per year and the DAG can meet in different formations and virtually.

Issues covered by the TCA include: trade, energy, air transport, aviation safety, road transport, social security coordination, fisheries, law enforcement and judicial cooperation, and participation in Union Programmes.

The TCA also creates a role for domestic advisory groups in the event of a dispute between the UK and the EU in the area of trade and sustainable development (covering issues related to labour, environment and climate). The domestic advisory groups of the Parties are to be informed of any measures to be implemented following a dispute in these areas and they may submit observations to both Parties on those measures.

Independent civil society organisations, including non-governmental organisations, business and employers' organisations, as well as trade unions are eligible to participate.

The Government will endeavour to publish the list of organisations involved, as well as the contact point for the group or groups.

Civil Society Forum

TCA Article 14 states that 'the Civil Society Forum shall be open for the participation of independent civil society organisations established in the territories of the Parties, including members of the domestic advisory groups referred to in Article 13. Each

Party shall promote a balanced representation, including non-governmental organisations, business and employers' organisations and trade unions, active in economic, sustainable development, social, human rights, environmental and other matters.'

Its purpose is to conduct a dialogue on Part Two of the TCA: trade, fisheries, social security coordination and short-term visa fees, transport and aviation.

It will meet once a year, unless otherwise agreed. It must meet in 2021. This may be a physical meeting, a virtual meeting, or a hybrid. The UK-EU Partnership Council will adopt operational guidelines for the conduct of the Forum ahead of its first meeting.

The Forum is open to non-governmental organisations, business and employers' organisations and trade unions. The UK Government will promote a balanced representation of attendees, from across relevant groups and organisations, and across the UK.

Consultation objectives

The purpose of this consultation is to seek views on how the Government should engage with business and civil society groups on implementation of the Trade and Cooperation Agreement (TCA) through the Domestic Advisory Group (DAG) and the Civil Society Forum (CSF).

Questions

1. How should the UK Government engage formally on TCA implementation issues through a domestic advisory group? The Government is planning a meeting once or twice a year with one group and would welcome your comments on the format, scope, and other ways of consultation. How do you see this group operating effectively?
2. If a selection had to be made, what further criteria, additional to those set out in Article 14 of the TCA, could be prioritised to decide the members of the UK delegation to the Civil Society Forum, e.g. the size of the economic or public interest, geographical interest, trade knowledge and experience or ability to protect and represent the UK's interest effectively?
3. What role should the UK Government play in supporting interactions between UK and EU stakeholders on TCA implementation, in addition to the sharing of contact information under the terms of the TCA and facilitating the CSF meetings?

How to respond

This consultation will be open from 9 August 2021 until 14 September 2021. Please submit your response to this consultation by 11:59pm on 14 September 2021. A summary of responses and further information on next steps will be published shortly after the consultation closes.

When responding, please state whether you are responding as an individual or representing the views of an organisation. Your response will be most useful where it is framed in direct response to the questions posed, though further comments are also welcome.

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