

Transcript: Policy Scotland Conversation with Bernd Lange

1 March 2021

Des McNulty: Good evening everyone. We're two minutes past the scheduled time to start. I think there's a few people coming in but most people who signed up are already here, so I'm absolutely delighted to welcome you all to this roundtable event with Bernd Lange.

Bernd is the Chair of the International Trade Committee of the European Parliament, a particularly important committee given the Brexit Agreement. It's the lead committee in the Parliament so Bernd has a kind of absolute helicopter view of everything that's happening in regard to that. And I don't think it's just about the Agreement that's going through in terms of Brexit, I think it's an opportunity to hear from Bernd about how this process is being experienced on the other side of the Channel and maybe to explore some of the longer term implications.

We have had in Policy Scotland a whole series of events with excellent speakers over the last several years with Ivan Rogers, Philip Rycroft and others giving us real strong insights into what's going on. We've had David McAllister from Germany, as well, in the past. So this is in the way of being, kind of, a continuation of that debate about Brexit - where it came from, how we got here, and where we go now. So we're absolutely delighted to have Bernd on the call. We've also got David Martin with us as well. David was Scotland's longest serving MEP - in fact I think he was Britain's longest serving MEP - so a man of huge experience in matters European. So we're very grateful to David, and to everyone else for joining us.

Just a couple of points before we before we turn over to Bernd. We are recording this part of the call - so these remarks but maybe more importantly Bernd's opening remarks which we'll come to shortly - but then we'll turn the recording off so that we can actually have a kind of Chatham House type discussion where people don't have their views or their questions recorded, so we'll do it in that particular way. If people want to put comments or questions in the chat, as we go through the process I'll try and pick up on some of the questions but David and I have worked on a set of questions to put to Bernd so we've got a few questions and this will be a 'in conversation' type event. So I think that's all I need to say in terms of the opening remarks and that the housekeeping. So can I then invite Bernd to tell us first of all how this is working from his side of the ratification process, what's actually happening at the present time in terms of the votes that are going on, and what the political lie of the land is in terms of the Trade Agreement proceeding? Bernd.

Bernd Lange: Yeah, thanks a lot. Thanks a lot for the invitation and good evening to everybody. Indeed we are now more or less at the last stage of this painful process. We had the negotiations finished on Christmas Eve and then I had had the pleasure to read its 1250 pages during the first and second Christmas Day, and then we started, of course, the scrutiny process. I guess the leading picture in the Parliament is really the question of trust and mistrust. And in this scrutiny process so far we had a lot of discussions in between the different political groups, some committees of the Parliament, with the rapporteurs and, of course, with some external forces as well, and the major question is 'will the British

Government really stay to the obligation and fulfil properly the implementation process?'. And this is, of course, linked to the history of the negotiation process but also regarding the fulfilment of the obligation on the protocol on Northern Ireland where we have a serious question in the air.

So in this scrutiny process we, of course, got some quite positive elements on the trade side - the vote for tariff-free agreement, the rules of origin - a lot of elements from normal trade agreement and we saw also some elements where we have some questions - the question of equivalence in the data protection system, the question what will happen with the financial services, where we have some equivalence there. What about the so-loved GIs - the geographical indications - this will be mentioned in our Resolution - but the main issue is the question of the level playing field and the guarantee that there will be no unfair competition advantages on the British side. And therefore we will really focus in the Resolution on the level playing field, on the possibilities to react on a possible dumping situation. And this leads also to an internal process inside the European Union. As you know we have a lot of governance structure in the Agreement starting with the Partnership Council and then more than 20 specific joint committees and some revision period and so on and so on, and now the Parliament is really asking for a deep involvement in this process. This is also a key element of the solution we will present so the question of consulting the Parliament before having the Partnership Council, consulting the Parliament regarding possible modification of the agreement, consulting the Parliament also regarding some measures which are not fixed yet - I mentioned financial services for example - and also giving the Parliament a key role in the selection process of the arbitrators and the experts for the dispute settlement procedures. So this will be key in the Resolution and we will negotiate this with the Commission.

Our resolution is more or less ready because as you know the Parliament asked for a provisional application because with this 'Christmas gift' we were not ready to have a proper scrutiny process between Christmas Eve and the first of January. So we asked for two months and in this two months we really managed in, of course, the leading committee as you mentioned, the inter committee, but also with the opinion of 16 further committees of the European Parliament to scrutinise the Agreement. And this is really now aggregated in a resolution with from two rapporteurs - Kati Piri from the Social Democrats from the Netherlands and Christophe Hansen from the European People's Party from Luxembourg - and originally, of course, we wanted to have the vote before the 28th of February but some weeks ago some Member States recognised that perhaps until the 28th of February not all linguistic versions would be ready and perhaps not all ... lawyers would have had the chance to read the text so the Council asked for another two months of extension on the provisional application and this was agreed just a few days ago, so there will be the end of this story on the 30th of April. But the European Parliament as I mentioned is ready and we will have the vote either next week in the plenary or in the mini-plenary at the end of March.

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