Dear Joan,

I wrote to you and to the Convener of the Finance and Constitution Committee on 8 January to alert your committees to the twenty first meeting of the Joint Ministerial Committee on EU Negotiations [JMC (EN)] on 9 January. I am now writing to report on the Scottish Government’s actions at that meeting and provide you with a copy of the Joint Communiqué agreed at the meeting.

The other Ministers attending were:

- From the UK Government: The Chancellor of the Duchy of Lancaster, Rt Hon Michael Gove MP; the Minister of State at the Department for Exiting the European Union, Lord Callanan; the Secretary of State for Scotland, Rt Hon Alister Jack MP; the Secretary of State for Wales, Rt Hon Simon Hart MP; the Parliamentary Under Secretary of State for Northern Ireland, Robin Walker MP; and the Minister for the Constitution, Chloe Smith MP.

- From the Welsh Government: The Counsel General and Brexit Minister, Jeremy Miles AM.

In the absence of Ministers from the Northern Ireland Executive, a senior civil servant from the Northern Ireland Civil Service was in attendance.

I indicated that while the new government has a mandate to take England out of the EU it must accept that Scotland has a mandate to give people a choice for an alternative future. I also made clear that the Scottish Government must be involved in negotiations regarding our interests and that the UK Government arrangements are presently unsatisfactory in this regard. As such I have called for enhanced engagement of the devolved administrations in the future relationship negotiations, and in negotiating trade deals with non EU states.

I made clear that the rights of EU citizens in Scotland must be protected and that the present levels of uncertainty they live with are unacceptable. I also reiterated my opposition to the hard Brexit that seems to be a likely outcome of these negotiations.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

The Scottish Parliament, Edinburgh  EH99 1SP
www.gov.scot
I attach the Joint Communiqué which was agreed at the meeting.

Yours sincerely,

MICHAEL RUSSELL
JOINT MINISTERIAL COMMITTEE (EU NEGOTIATIONS) COMMUNIQUE

9 January 2019

The twenty-first Joint Ministerial Committee (EU Negotiations) met today at 70 Whitehall in London. The meeting was chaired by the Chancellor of the Duchy of Lancaster.

The attending Ministers were:

From the UK Government: The Chancellor of the Duchy of Lancaster, Rt Hon Michael Gove MP; the Minister of State at the Department for Exiting the European Union, Lord Callanan; the Secretary of State for Scotland, Rt Hon Alister Jack MP; the Secretary of State for Wales, Rt Hon Simon Hart MP; the Parliamentary Under Secretary of State for Northern Ireland, Robin Walker MP; and the Minister for the Constitution, Chloe Smith MP.

From the Scottish Government: The Cabinet Secretary for Government Business and Constitutional Relations, Michael Russell MSP.

From the Welsh Government: The Counsel General and Brexit Minister, Jeremy Miles AM.

A senior official from the Northern Ireland Civil Service attended the meeting due to the continued absence of a Northern Ireland Executive.

The Committee discussed the UK's exit from the EU, including preparations for the UK-EU future relationship negotiations and a forward look to post-January engagement structures.