

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

Fourth Delegated Legislation Committee

DRAFT EUROPEAN UNION (DEFINITION OF  
TREATIES) (PARTNERSHIP AND COOPERATION  
AGREEMENT) (TURKMENISTAN) ORDER 2017

DRAFT EUROPEAN UNION (DEFINITION OF  
TREATIES) (ENHANCED PARTNERSHIP AND  
COOPERATION AGREEMENT) (KAZAKHSTAN)  
ORDER 2017

DRAFT EUROPEAN UNION (DEFINITION OF  
TREATIES) (COMPREHENSIVE AND ENHANCED  
PARTNERSHIP AGREEMENT) (ARMENIA)  
ORDER 2018

*Wednesday 11 July 2018*

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**Sunday 15 July 2018**

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**The Committee consisted of the following Members:**

*Chair:* DAME CHERYL GILLAN

Ali, Rushanara ( <i>Bethnal Green and Bow</i> ) (Lab)	Graham, Richard ( <i>Gloucester</i> ) (Con)
† Allan, Lucy ( <i>Telford</i> ) (Con)	Hodge, Dame Margaret ( <i>Barking</i> ) (Lab)
† Bacon, Mr Richard ( <i>South Norfolk</i> ) (Con)	Lammy, Mr David ( <i>Tottenham</i> ) (Lab)
† Bardell, Hannah ( <i>Livingston</i> ) (SNP)	† Mahmood, Mr Khalid ( <i>Birmingham, Perry Barr</i> ) (Lab)
† Bradley, Ben ( <i>Mansfield</i> ) (Con)	Rowley, Danielle ( <i>Midlothian</i> ) (Lab)
† Clarke, Mr Simon ( <i>Middlesbrough South and East Cleveland</i> ) (Con)	† Smith, Nick ( <i>Blaenau Gwent</i> ) (Lab)
† Courts, Robert ( <i>Witney</i> ) (Con)	† Thomas, Derek ( <i>St Ives</i> ) (Con)
Davies, Geraint ( <i>Swansea West</i> ) (Lab/Co-op)	Leoni Kurt, <i>Committee Clerk</i>
† Duncan, Sir Alan ( <i>Minister for Europe and the Americas</i> )	† <b>attended the Committee</b>
† Freer, Mike ( <i>Finchley and Golders Green</i> ) (Con)	

The following also attended, pursuant to Standing Order No. 118(2):

Pound, Stephen (*Ealing North*) (Lab)

## Fourth Delegated Legislation Committee

Wednesday 11 July 2018

[DAME CHERYL GILLAN *in the Chair*]

### Draft European Union (Definition of Treaties) (Partnership and Cooperation Agreement) (Turkmenistan) Order 2017

8.55 am

**The Chair:** As it is quite warm, I am happy for hon. Gentlemen to remove their jackets if they wish. I will call the Minister to move the first motion and to speak to all the draft instruments before us. At the end of the debate, I will put the Question on the first motion and then ask the Minister to move the remaining motions formally.

**The Minister for Europe and the Americas (Sir Alan Duncan):** I beg to move,

That the Committee has considered the draft European Union (Definition of Treaties) (Partnership and Cooperation Agreement) (Turkmenistan) Order 2017.

**The Chair:** With this it will be convenient to consider the draft European Union (Definition of Treaties) (Enhanced Partnership and Cooperation Agreement) (Kazakhstan) Order 2017 and the draft European Union (Definition of Treaties) (Comprehensive and Enhanced Partnership Agreement) (Armenia) Order 2018.

**Sir Alan Duncan:** It is a great pleasure to serve under your chairmanship, Dame Cheryl. The international agreements under consideration have all been negotiated between the European Union and its member states on the one hand, and third countries on the other. Each agreement provides an enhanced framework for regular political dialogue at ministerial, official and expert level.

The EU-Turkmenistan partnership and co-operation agreement will support reforms and help to build Turkmenistan's economy in line with market principles. The agreement provides for EU technical assistance to reinforce democratic institutions, as well as encouraging economic reforms and strengthening protections for European investors in Turkmenistan. The EU-Kazakhstan enhanced partnership and co-operation agreement updates and augments the existing partnership and co-operation agreement agreed in 1996. It will contribute to modernising the commercial environment in Kazakhstan and increase the ease of doing business for UK and European firms. The EU-Armenia comprehensive and enhanced partnership agreement provides a foundation for enhanced political and economic co-operation, and will also support reform of the commercial environment in Armenia.

The agreements are an important tool for promoting British and European values and standards. Some have been under negotiation for a number of years, meaning that successive UK Governments have been involved in shaping the EU's approach to the negotiations. The EU has numerous similar such agreements with other third countries around the world, all of which have passed through this ratification process in the House. Although

this is an unusual time in our relations with the EU, this is a case of business as usual continuing in the UK's and the EU's interest.

Approval of the draft orders is a necessary step towards the UK's ratification of these agreements, through designating them as EU treaties under section 1(3) of the European Communities Act 1972. The third countries concerned have all chosen to pursue closer ties with the European Union and its member states, which the Government welcome. We believe that, by bringing countries closer to the orbit of European values and standards, these agreements are firmly in our national interests.

The provisions of each agreement covered by the draft orders are not identical. They are the result of years of negotiation and reflect the differing priorities that we share with each partner country and the varying depth and maturity of the relationship that the EU and its member states already enjoy with them. For example, EU third country agreements with emerging democracies include a significant focus on supporting reforms and democratic institutions, whereas agreements with long-term partners focus to a greater extent on international co-operation to address broader global challenges.

I am conscious that right hon. and hon. Members may have questions about the impact of our departure from the EU on the status of these agreements and our ratification of them. If I may, Dame Cheryl, I will briefly clarify the process. As Members will be aware, until we leave the EU on 29 March next year, the UK remains a full member state, and all the rights and obligations of EU membership remain in force. During this period, the Government will continue to negotiate, implement and apply EU legislation. I am advised that the agreements before us are unlikely to enter into force before the UK leaves the EU.

After our departure in March 2019, we will no longer be able to ratify EU third-country agreements. However, the withdrawal agreement includes provision that during the implementation period, the UK will be treated as if it were an EU member state for the purposes of international agreements, with the effect that the UK will be bound by agreements that enter into force during the implementation period. If any of these agreements were to enter into force during the implementation period following UK ratification, the UK would not need to adopt further domestic legislation to ensure that it could apply and be bound by the agreement, in compliance with the terms of the withdrawal agreement.

Nevertheless, the impact of our departure from the EU is not the central issue for us today. I urge hon. Members to focus on why implementation of these agreements is firmly in our national interest. First, the agreements formalise positive relationships that the EU has developed with third countries around the world. They are designed to strengthen democratic values, the rule of law and environmental protections, and make trade and investment more predictable for businesses, including those in our own country. It is therefore in the interests of the UK, as a leading advocate of democratic values and a rules-based international system, to support the passage of the agreements.

Secondly, it is important, including for our departure negotiations, to deliver on my right hon. Friend the Prime Minister's commitment to continue to be a supportive EU member state until we leave. Ensuring that the UK

does not block, delay or disrupt EU “business as usual” is crucial to that commitment. Thirdly, as an EU member state, the UK has been a key driver of all the agreements. At a time when we are strengthening ties with countries around the world, it would be wholly counterproductive to be seen in any way to be hindering the aspirations of those countries to have closer relations with the EU.

With that, I hope, adequate explanation, I trust that the Committee will see fit to endorse the merits of the three orders.

**The Chair:** The debate can last for up to one and a half hours, and it gives me great pleasure to call Mr Khalid Mahmood.

9.2 am

**Mr Khalid Mahmood** (Birmingham, Perry Barr) (Lab): It is a pleasure to serve under your stewardship, Dame Cheryl. The Minister has rightly pointed out that these are EU agreements that will continue to bind us. Perhaps they would not be in position after Brexit; we will have to continue the relationship after that. He mentioned the three countries concerned; I would like to focus on Turkmenistan and Kazakhstan. He talked about strengthening democracy, and it is important to look at the support that we can give those countries in that respect. He also mentioned the rule of law, which is also important. The agreements must be binding on those two issues.

There are issues in relation to corruption in some of these places. To make the agreements binding, it is important that we continue to have close ties with those Governments and support them through the relevant structures, to enable better fiscal control and scrutiny of those in power.

There is very little disagreement with what the Minister alluded to in his statement. He also spoke about Armenia, with which we share a huge heritage of close ties. We want to continue those and the work that has progressed in our relationship with Armenia.

It is important that we continue to build these relationships and continue to build trade. Even more importantly, we must continue to build the definition of those democratic structures that we hold dear and support these countries to be able to do that.

One way to enhance all three treaty countries’ ability to move forward is through trade, but that comes by working together and allowing them to update their democratic structures. Those things must go hand in glove. That is the crux of the matter. These statutory instruments are not hugely contentious, and I thank the Minister for his comments.

9.5 am

**Stephen Pound** (Ealing North) (Lab): It is an honour and a pleasure, as ever, to sit beneath your benevolent aegis, Dame Cheryl. May I apologise that although I notified the Government and Opposition Whips of my attention to speak, I neglected to notify you directly? I abase myself. I would do anything for you to allow me to speak.

**The Chair:** Mr Pound, let me reassure you that it would be a pleasure to hear your words of wisdom on this order.

**Stephen Pound:** I wish to speak to the Armenian issue—I mean no disrespect to the other two nations—because the situation in Armenia is intensely and immensely important. My hon. Friend the Member for Birmingham, Perry Barr has referred to the long-standing emotional, business, social and cultural ties that we enjoy with Armenia. I would invite all hon. Members present, and anyone who is listening, to pop along to north Acton playing fields this Sunday afternoon, where the famous Armenian street festival will take place under the benevolent look of Bishop Manukyan. They would be very welcome, although I should warn everyone that there may be a speech from one of the local MPs at about half-past 12, so they may wish to avoid that particular time slot.

The date of 21 June 2018 will become very important in Armenian history, because that was the date of the first meeting of the partnership council under the EU-Armenia comprehensive and enhanced partnership agreement. A slight shadow overhangs my words, because as this nation foolishly appears to be turning its back on all that is great and good in Europe, Armenia, a sensible, modern, forward-looking economy, is moving towards it in the fields of good governance, a business-friendly economy, air transport and cultural exchange.

It is very significant that at that first meeting, Armenia and the European Union discussed many issues that show that Armenia is moving forward in those areas. Credit was also given to the democratic leadership in Armenia for the recent transition under the new constitution. Some people felt that they may not have been a success, but in fact it was a peaceful transition to an entirely new constitution. Armenia and the Armenians should be given credit for that achievement.

At risk of being too oleaginous, the Minister is a man of great reputation in the region and beyond. His personal commitment to Armenia and many of the surrounding countries has been noted, with an element of envy on my part, because wherever I go, he has been there before me, and whatever I do, he does far better, in many different languages. I pay tribute to him.

The hope of the first partnership agreement being ratified by us is being made flesh today. We can appreciate and work with many aspects of that agreement between Armenia and the EU, particularly with regards to visa liberalisation and creating a business-friendly environment. The European Union also committed €3 million under the Madad fund for the settlement of Syrian refugees in Armenia. Armenia has shown many of us the way forward in that area by welcoming people, particularly from Aleppo.

On 7 July, Simon McDonald, our permanent under-secretary, visited Yerevan to meet Foreign Minister Zohrab Mnatsakanian. Simon McDonald represents the finest tradition of the British diplomatic service. They had a very positive preliminary meeting in anticipation and advance of this Committee’s debate on ratification. It was an opportunity for a senior diplomat in the United Kingdom to gain first-hand knowledge on the ground in Armenia. I pay tribute to Simon McDonald for his work in that area. He was extremely well received. The Foreign Minister Zohrab Mnatsakanian, who is probably one of the busiest diplomats on the world stage, particularly enjoyed that meeting. It has been made known to us through the embassy how positive and productive that meeting was.

[Stephen Pound]

I hope that by ratifying the order we can enter a new phase of UK-Armenian relations, as I think we should. We have so many friends in Armenia, and there is much for us to gain from a closer association with that great country—not just the first Christian country on earth, but a country of emerging importance, particularly in the fields of IT and new technology. It is a country whose time has come. I am glad that the United Kingdom is working closely with it. I am sad that Europe is leading that connection, but above all, as long as Armenia can look to its friends in Brussels and in London, I will be happy.

Thank you, Dame Cheryl, for your indulgence. I particularly thank the Minister for his greatly appreciated work, not just in the south Caucasus but beyond.

9.11 am

**Sir Alan Duncan:** I warmly thank both Opposition Members, the hon. Member for Birmingham, Perry Barr and, in particular, the hon. Member for Ealing North (Stephen Pound) for the comments he has just made.

I have great affection for all three countries. I have visited them all, be it as a Minister in the Department for International Development or as the Foreign Minister. Relations between the UK and all of them are growing by the day, entirely in a good way. I fully take on board the comments from the Opposition Front Bench about the importance of encouraging democratic progress, bearing down on any corruption that may be in those societies, and enhancing trade. Those objectives are very much at the heart of the orders we are scrutinising.

Turning to Armenia in particular, there is a very close link, and genuine friendship on many layers, between the UK and Armenia. President Sarkissian has acquitted himself in a very special way over the last few months in finishing as ambassador here, becoming President, and then immediately having to handle serious demonstrations, which have, as the hon. Member for Ealing North said, seen a transfer of power in probably the best way anyone could have imagined. It is a great credit to the country, and the effectiveness of its constitution, that

Prime Minister Pashinyan assumed authority and power as Prime Minister without any kind of violence on the streets or political upset. A lot of that is down to the very authoritative leadership of President Armen Sarkissian. The transfer of power was ceded, and then, as the hon. Gentleman said, the very effective visit of our permanent under-secretary of the Foreign Office, Sir Simon McDonald, to Yerevan cemented that in an effective and helpful way.

The agreements will support our values and objectives long after we have left the European Union. By ratifying them we are demonstrating our goodwill as a supportive partner to the European Union and to each of the three countries that are seeking to expand their relationships with the EU and with the UK directly. The agreements are fully consistent with our prospects outside the European Union. We are enhancing our co-operation with partners across central Asia and the south Caucasus as we leave the EU, all of which is in line with our ambitious vision for a global Britain following our departure.

Thank you, once again, Dame Cheryl, for chairing proceedings. I commend the draft orders to the Committee.

*Question put and agreed to.*

**DRAFT EUROPEAN UNION (DEFINITION OF TREATIES) (ENHANCED PARTNERSHIP AND COOPERATION AGREEMENT) (KAZAKHSTAN) ORDER 2017**

*Resolved,*

That the Committee has considered the draft European Union (Definition of Treaties) (Enhanced Partnership and Cooperation Agreement) (Kazakhstan) Order 2017.—(*Sir Alan Duncan.*)

**DRAFT EUROPEAN UNION (DEFINITION OF TREATIES) (COMPREHENSIVE AND ENHANCED PARTNERSHIP AGREEMENT) (ARMENIA) ORDER 2018**

*Resolved,*

That the Committee has considered the draft European Union (Definition of Treaties) (Comprehensive and Enhanced Partnership Agreement) (Armenia) Order 2017.—(*Sir Alan Duncan.*)

9.15 am

*Committee rose.*



