Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

2018/0427(NLE) - 18/10/2019

PURPOSE: to conclude the agreement on the withdrawal of the United Kingdom from the European Union.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Council adopted the amended draft Council Decision on the conclusion of the Agreement on the withdrawal of the United Kingdom from the European Union, which is to be forwarded to the European Parliament for consent.

This Council draft follows the approval by the European Council (Article 50) of the withdrawal agreement reached by the European Commission negotiators and the United Kingdom negotiators on 17 October 2019.

CONTENT: the purpose of the draft Council Decision is to approve, on behalf of the Union and the European Atomic Energy Community, the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union.

The Council draft:

- defines the arrangements for representing the Union in the Joint Committee and the specialised committees set up by the Agreement;

- specifies that whenever the Union is required to act to comply with the provisions of the Agreement, it must do so in accordance with the provisions of the Treaties, while respecting the limits of the powers conferred on each institution;

- defines, in accordance with Article 129(4) of the Agreement, the conditions and procedure for authorising the United Kingdom, during the transitional period, to negotiate, sign and ratify international agreements concluded in its own capacity in areas of exclusive competence of the Union;

- lays down the conditions and procedure for authorising Ireland, Cyprus and Spain to negotiate and conclude with the United Kingdom the bilateral agreements necessary for the proper functioning of the provisions laid down in the separate protocols regulating the special situations of Ireland and Northern Ireland, the Sovereign Base Areas in Cyprus and Gibraltar, where such bilateral agreements concern areas falling within the exclusive competence of the Union;

- confers, according to Article 18(1) and (4) of the Agreement, implementing powers on the Commission to determine the period of validity, format and technical specifications of documents certifying their

residence status or frontier worker status to be issued by host Member States to United Kingdom nationals and their family members, with a view to facilitating the recognition of such documents by border control authorities and to preventing falsification and counterfeiting through high-level security devices.