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

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

The revised Withdrawal Agreement reached on 17 October 2019 follows intensive negotiations between the European Commission and British negotiators. The European Council, meeting in an EU-27 configuration, approved a revised Protocol on Ireland and Northern Ireland and a revised Political Declaration setting out the framework for future relations between the European Union and the United Kingdom.

All other elements of the Withdrawal Agreement remain unchanged in substance, as per the agreement reached on 14 November 2018. The Withdrawal Agreement brings legal certainty where the UK's withdrawal from the EU created uncertainty: citizens' rights, the financial settlement, a transition period at least until the end of 2020, governance, Protocols on Gibraltar and Cyprus, as well as a range of other separation issues.

The revised Withdrawal Agreement and revised Political Declaration agreed at the level of negotiators on both sides would allow for an orderly exit of the United Kingdom from the European Union.

Revised Protocol on Ireland/Northern Ireland

The revised Protocol provides a legally operational solution that avoids a hard border on the island of Ireland, protects the all-island economy and the Good Friday (Belfast) Agreement in all its dimensions and safeguards the integrity of the Single Market. This solution responds to the unique circumstances on the island of Ireland with the aim of protecting peace and stability.

In terms of regulations, Northern Ireland will remain aligned to a limited set of rules related to the EU's Single Market in order to avoid a hard border: legislation on goods, sanitary rules for veterinary controls (“SPS rules”), rules on agricultural production/marketing, VAT and excise in respect of goods, and state aid rules.

The revised Protocol will also avoid any customs borders on the island of Ireland, while ensuring that Northern Ireland remains part of the United Kingdom's customs territory. Northern Ireland will therefore be able to benefit from any future free trade agreements (FTAs) that the United Kingdom may conclude with third countries. The agreement fully protects the integrity of the EU's single market and customs union. The EU Customs Code will apply to all goods entering Northern Ireland. This will avoid customs controls and checks on the island of Ireland.

The necessary checks and controls will be carried out on goods entering Northern Ireland from the rest of the United Kingdom. The United Kingdom authorities will apply the provisions of Union law which the Protocol makes applicable to the United Kingdom in respect of Northern Ireland. Thus, all controls will be carried out by the UK authorities with appropriate monitoring and enforcement mechanisms for the EU.

The customs duties in respect of a good being moved by direct transport to Northern Ireland other than from the Union or from another part of the United Kingdom shall be the duties applicable in the United Kingdom, unless that good is at risk of subsequently being moved into the Union, whether by itself or forming part of another good following processing.

Consent mechanism

The EU and the UK have agreed to create a new mechanism on ‘consent', which will give the Members of the Northern Ireland Assembly a decisive voice on the long-term application of relevant EU law in Northern Ireland. The Northern Ireland Assembly will be asked to provide continued support for the Protocol 4 years after the end of the transition period and every 4 years thereafter.

The revised Political Declaration

The main change in the Political Declaration relates to the future EU-UK economic relationship where the current UK government has opted for a model based on a Free Trade Agreement (FTA). The Political Declaration provides for an ambitious FTA with zero tariffs and quotas between the EU and the UK. It states that robust commitments on a level playing field should ensure open and fair competition.