Basic information

2020/2202(INI) INI - Own-initiative procedure	Procedure completed
Implementation report on the Agreement on the withdrawal of the UK from the EU **Subject** 8 State and evolution of the Union **Geographical area** United Kingdom	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFCO Constitutional Affairs	SILVA PEREIRA Pedro (S&D)	24/09/2020
	Shadow rapporteur HÜBNER Danuta Maria (EPP) GOERENS Charles (Renew) ALFONSI François (Greens/EFA) BECK Gunnar (ID)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs (Associated committee)	SCHIEDER Andreas (S&D)	01/02/2021
INTA International Trade (Associated committee)	KELLY Seán (EPP)	01/10/2020
BUDG Budgets	The committee decided not to give an opinion.	
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection	Chair on behalf of committee CAVAZZINI Anna (Greens/EFA)	26/09/2022

	TRAN Transport and Tourism	The committee decided not to give an opinion.	
	LIBE Civil Liberties, Justice and Home Affairs (Associated committee)	VINCZE Loránt (EPP)	21/09/2020
	PETI Petitions	MONTSERRAT Dolors (EPP)	28/10/2020

European Commission	Commission DG	Commissioner
	Secretariat-General	VON DER LEYEN Ursula

Key events

Date	Event	Reference	Summary
08/10/2020	Committee referral announced in Parliament		
08/10/2020	Referral to associated committees announced in Parliament		
28/02/2023	Vote in committee		
07/03/2023	Committee report tabled for plenary	A9-0052/2023	Summary
14/03/2023	Debate in Parliament		
15/03/2023	Decision by Parliament	T9-0080/2023	Summary
15/03/2023	Results of vote in Parliament		

Technical information

Procedure reference	2020/2202(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
Legal basis	Rules of Procedure EP 55 Rules of Procedure EP 57_o
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/9/04292

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee opinion	AFET	PE735.800	25/10/2022	
Committee draft report		PE730.187	24/11/2022	
Specific opinion	IMCO	PE737.504	29/11/2022	
Committee opinion	PETI	PE736.677	01/12/2022	
Committee opinion	INTA	PE734.429	02/12/2022	
Committee opinion	LIBE	PE658.895	05/12/2022	
Amendments tabled in committee		PE731.767	19/12/2022	
Committee report tabled for plenary, single reading		A9-0052/2023	07/03/2023	Summary
Text adopted by Parliament, single reading		T9-0080/2023	15/03/2023	Summary

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	Role	Committee	Date	Interest representatives
HÜBNER Danuta Maria	Shadow rapporteur	AFCO	14/03/2023	UK Mission to the EU
SILVA PEREIRA Pedro	Rapporteur	AFCO	29/01/2020	British in Europe
SILVA PEREIRA Pedro	Rapporteur	AFCO	29/01/2020	The 3 Million

Implementation report on the Agreement on the withdrawal of the UK from the EU

2020/2202(INI) - 15/03/2023 - Text adopted by Parliament, single reading

The European Parliament adopted by 522 votes to 75, with 21 abstentions, a resolution on the implementation report on the Agreement on the withdrawal of the UK from the EU.

Implementing the Withdrawal Agreement

Parliament recalled that the withdrawal agreement has enabled the UK's orderly withdrawal from the EU, thereby minimising social and economic disruption and avoiding an abrupt break. However, it regretted that the Withdrawal Agreement had not yet been fully implemented. It stressed that the full and timely implementation of the Withdrawal Agreement and the trade and cooperation agreement, which are based on international law, is and will remain a key priority for the EU.

The resolution notes that, as expected, the UK's withdrawal from the EU has led to disruptions in trade and the supply chain between the EU and the UK, increased uncertainty for citizens and businesses and increased costs for traders in various sectors, investors and industry, due to transport shortages, shipping delays, difficulties in complying with import rules and disruptions at customs borders as a result of the dual regulation systems and additional formalities. As a result, **Brexit has proven to be damaging for all** concerned, and even more so for the UK.

Parliament reaffirmed that the provisions of the Withdrawal Agreement must be respected and implemented and that a trusting relationship between the EU and the UK depends on all parties respecting their legally binding commitments. It also highlighted the need to **preserve the role of the Court of Justice of the European Union (CJEU)**, which is necessary to interpret the applicable EU law.

Citizens' rights

The resolution noted that some **important improvements** are still to be made to safeguard citizens' rights and that the first three years of the implementation of the Withdrawal Agreement have been tarnished by the UK's continuous breaches of its commitments, as well as further threatened breaches, under the Protocol.

Members recalled that Part Two of the Withdrawal Agreement provides that all EU citizens who were legally residing in the UK and all UK nationals who were legally residing in the EU-27 at the end of the transition period on 31 December 2020 and who continue to do so enjoy the full set of rights as established under EU law and as interpreted by the CJEU.

Although Members welcomed the UK's establishment of the EU Settlement Scheme (EUSS) to fulfil its obligations to EU citizens and their family members, they expressed concern about inconsistencies with the Withdrawal Agreement, namely that EU citizens with pre-settled status have to submit a second application to obtain settled status, which may lead to an automatic and illegal loss of their rights. During their second application, eligible EU citizens will have to prove continued residence, making the settled status application procedure more onerous than the pre-settled one.

Concern was also expressed about: (i) the situation of late applicants, since many citizens remain in limbo about their immigration status; (ii) the very long delays in decision-making by the UK Government related to citizens' rights; (iii) the delays for family reunification cases.

Members reiterated their view that greater certainty would be provided to EU citizens in the UK if they were issued with a **physical document**, which should complement their existing digital status, as proof of their rights as residents. They also expressed concern about the difficulties that EU citizens and their family members may experience when attempting to return to the UK because of airlines' lack of knowledge about the digital process for verifying settled or pre-settled status and their inability to verify this at airport gates prior to boarding.

Parliament also regretted the increasing delays in issuing residence documents and **entry visas** for EU citizens in the UK and urges the UK authorities to develop plans to reduce the number of pending applications.

Protocol on Ireland/Northern Ireland

The Protocol was agreed on as a compromise to safeguard all parts of the Belfast/Good Friday Agreement and prevent the establishment of a 'hard border' on the island of Ireland, while protecting the integrity of the EU single market. Members strongly regretted the **UK's failure to act in compliance with its commitments under the Protocol for the last three years**. They stressed that any failure to comply with the Protocol's provisions constitutes a breach of international legal commitments and an unacceptable demonstration of disrespect for the rule of law.

Parliament welcomed the recent announcement of an agreement in principle between the EU and the UK on the Protocol - the so-called **Windsor Framework** - which will ensure its flexible, but effective implementation and respect for the Belfast/Good Friday Agreement, while safeguarding the integrity of the EU's single market. It hoped that that **power-sharing** in Northern Ireland can be restored as soon as possible in line with the commitments under the Belfast/Good Friday Agreement and for the benefit of the people in Northern Ireland.

Members welcomed both parties' announcement that the political will exists to engage constructively in genuine negotiations through the EU-UK Joint Committee to find sustainable solutions regarding possible areas of friction. They called on the UK Government to proactively involve the Northern Ireland Assembly and other elected officials and stakeholders in Northern Ireland in the discussions on the application of the Protocol.

Governance and the role of the European Parliament

Parliament welcomed the fact that the governance structures responsible for the implementation of the Withdrawal Agreement are fully operational, in particular its Specialised Committee on Citizens' Rights, which meets very regularly. It called on the UK to make full use of these structures instead of pursuing unilateral action. It reaffirmed its commitment to closely monitoring the implementation of the Withdrawal Agreement, in particular in relation to citizens' rights and the Protocol.

Implementation report on the Agreement on the withdrawal of the UK from the EU

2020/2202(INI) - 07/03/2023 - Committee report tabled for plenary, single reading

The Committee on Constitutional Affairs adopted the own-initiative report by Pedro SILVA PEREIRA (S&D, PT) on the implementation report on the Agreement on the withdrawal of the UK from the EU.

The Withdrawal Agreement concluded between the EU and the UK entered into force on 1 February 2020. It allowed for the orderly withdrawal of the UK from the European Union. The Withdrawal Agreement established a Joint Committee, which is responsible for monitoring and promoting the implementation and application of the agreement. Three years after the entry into force of the Withdrawal Agreement, time has come for the European Parliament to produce its first report on the implementation of this unprecedented agreement, including on the Ireland/Northern Ireland Protocol.

Members noted that this report is tabled **without the First Annual Report of the Joint Committee** on the Implementation of the Withdrawal Agreement being agreed or published, due to **substantive divergences** between the parties.

With this report, the European Parliament reaffirms its commitment to closely monitor the full implementation of the Withdrawal Agreement, in particular as regards citizens' rights and the Ireland/Northern Ireland Protocol.

General considerations

Members regretted the fact that the Withdrawal Agreement has still not yet been fully implemented. They underlined that the full and timely implementation of the Withdrawal Agreement and the Trade and Cooperation Agreement, which are based on international law, is and will always remain a key priority for the EU. The report noted, as expected, that the UK's withdrawal from the EU has resulted in trade and supply chain disruptions

between the EU and the UK, increased uncertainties for citizens and businesses and rising costs for traders in various sectors, investors and industry stemming from transportation shortages, shipping delays, difficulties in complying with changing import rules and customs border turmoil that have resulted from the dual-regulatory systems and additional formalities.

Moreover, the regions involved in Interreg projects with the UK have been particularly affected.

Members therefore noted that **Brexit has proven to be damaging for all concerned**, and even more so for the UK.

Citizens' rights

The report noted that some important improvements are still to be made to safeguard citizens' rights and that the first three years of the implementation of the Withdrawal Agreement have been tarnished by the UK's continuous breaches of its commitments, as well as further threatened breaches, under the Protocol.

Although Members welcomed the UK's establishment of the EU Settlement Scheme (EUSS) to fulfil its obligations to EU citizens and their family members, they expressed concern about **inconsistencies** with the Withdrawal Agreement, namely that EU citizens with pre-settled status have to submit a second application to obtain settled status, which may lead to an automatic and illegal loss of their rights. Concern was also expressed about: (i) the situation of late applicants, since many citizens remain in limbo about their immigration status; (ii) the very long delays in decision-making by the UK Government related to citizens' rights; (iii) the delays for family reunification cases.

Members reiterated their view that greater certainty would be provided to EU citizens in the UK if they were issued with a physical document, which should complement their existing digital status, as proof of their rights as residents. They also expressed concern about the difficulties that EU citizens and their family members may experience when attempting to return to the UK because of airlines' lack of knowledge about the digital process for verifying settled or pre-settled status and their inability to verify this at airport gates prior to boarding.

The Protocol on Ireland/Northern Ireland

Members recalled that the Protocol was agreed on as a compromise to safeguard all parts of the Belfast/Good Friday Agreement and prevent the establishment of a 'hard border' on the island of Ireland, while protecting the integrity of the EU single market. The Protocol's application has so far demonstrated that it is, in several important aspects, successfully serving its purpose. However, Members strongly regretted the **UK's lack of political will** and failure to act in good faith and in compliance with its commitments under the Protocol. They denounced the UK's unwillingness to comply with the applicable customs requirements, supervision requirements and risk controls on the movement of goods between Great Britain and Northern Ireland. They also regretted the UK's unwillingness to transpose and implement applicable EU legislation on excise duties and VAT. The ongoing uncertainty regarding the trade arrangements for Northern Ireland is harmful and detrimental to business.

The **social and employment rights** of EU citizens and the freedom of movement of cross-border workers, based on non-discrimination and reciprocity should be guaranteed by the UK authorities.

The committee expressed strong concern about the recently proposed Northern Ireland Protocol Bill, which would give UK ministers far-ranging powers to unilaterally cease to apply provisions of the Protocol, which could undermine the Belfast/Good Friday Agreement, contribute to economic and political uncertainty in Northern Ireland and have negative impacts on consumer protection, business and workers.