



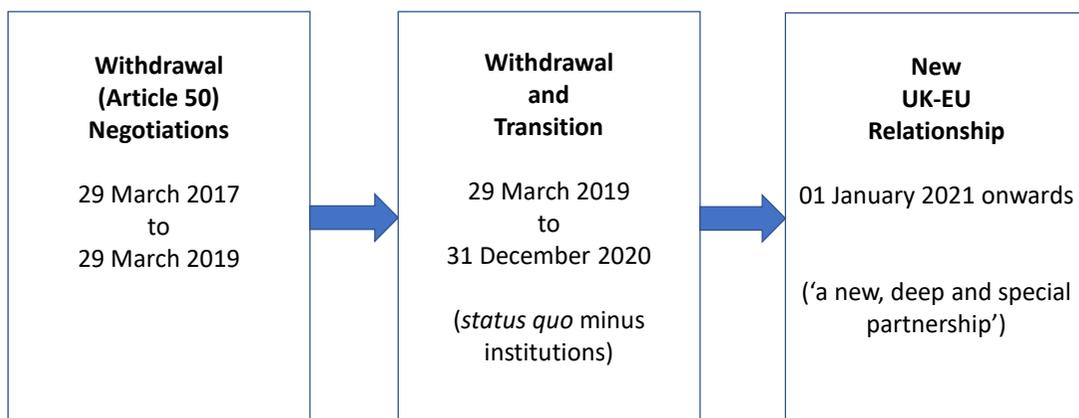
## QPol Brexit Clinic

20 September 2018



Prof David Phinnemore (@Dphinnemore)

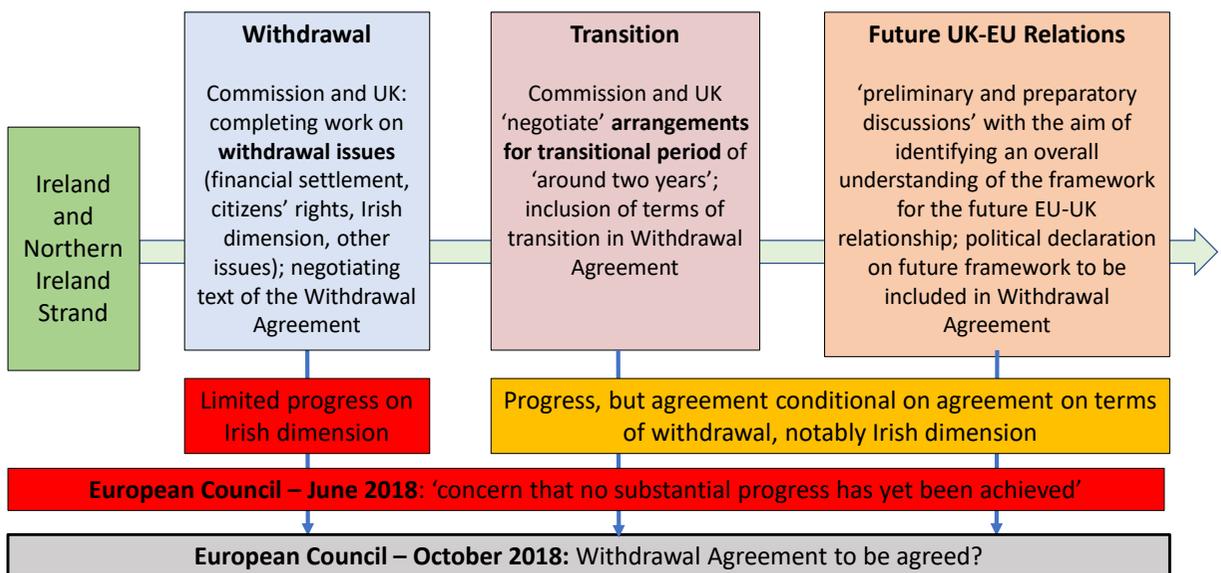
### Brexit – a timeline



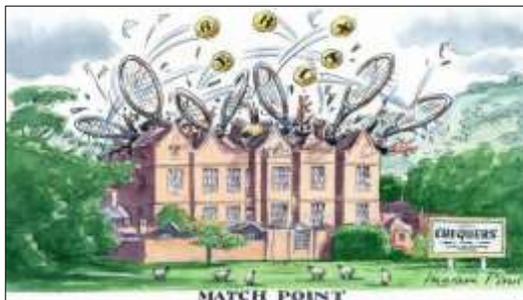
## Article 50 Process – A Timeline

2017	29 March	Notification of Intention to Withdraw	✓
	29 April	European Council (EUCO) adopts guidelines	✓
	19 June	Withdrawal Negotiations start	✓
	15 December	EUCO agrees 'sufficient progress for move to second phase; adopts additional guidelines	✓
2018	29 January	Council Supplementary Negotiating Mandate	✓
	February	Negotiations on transition arrangements start; draft Withdrawal Agreement (WA) published	✓
	23 March	EUCO adopts 'guidelines on the framework for the future EU-UK relationship'	✓
	April	'preliminary and preparatory discussions' on framework for the future EU-UK relationship' start	✓
	October	WA to be concluded; political declaration on future framework for UK-EU relations to be adopted	
	December	WA to be signed	
2019	January	Ratification of Withdrawal Agreement by European Parliament and UK Parliament begins	
	29 March	UK Withdraws from the EU; transition period begins	
	30 March	UK-EU negotiations on future relationship start	
2020	31 December	Transition period ends	
2021	1 January	UK-EU 'new, deep and special partnership' to enter into force	

## Article 50 Negotiations – Phase Two (2018)



<p><b>Preamble</b> Commitments from Joint Report</p>	<p><b>Protocol on Ireland/ Northern Ireland</b></p>	<p><b>Supervision and Enforcement</b> EU institutions and bodies – including Court of Justice – to have jurisdiction over Common Regulatory Area (Article 11)</p>
<p><b>Rights of Individuals</b> No diminution of rights, safeguards and equality of opportunity as set out 1998 Agreement; UK to facilitate work of human rights and equality bodies (Article 1)</p>	<p><b>Single Electricity Market</b> EU law governing wholesale electricity markets to apply to Northern Ireland (Article 6)</p>	<p><b>Common Provisions</b> Application and implementation of Protocol; application of new EU law; representation in EU decision-shaping; risk assessments; personal data protection (Article 12)</p>
<p><b>Movement of People</b> Common Travel Area and associated rights to continue (Article 2)</p>	<p><b>Environment</b> EU law or environmental protection concerning movement of goods to apply to NI (Article 7)</p>	<p><b>Safeguards</b> Safeguards in cases of serious economic, societal or environmental difficulties (Article 13)</p>
<p><b>Common Regulatory Area</b> Establish an area without internal borders in which free movement of goods is ensured and North-South cooperation protected (Article 3)</p>	<p><b>Other Areas of North-South Cooperation</b> Maintain conditions for continued cooperation, <i>including</i> in the areas of environment, health, agriculture, transport, education and tourism, as well as energy, telecommunications, broadcasting, inland fisheries, justice and security, higher education and sport (Article 8)</p>	<p><b>Protection of Financial Interests</b> counter fraud and any other illegal activities relating to EU and UK interests in Northern Ireland (Article 14)</p>
<p><b>Free Movement of Goods</b> Northern Ireland will be considered to be part of the customs territory of the EU (Article 4)</p>	<p><b>State Aid</b> EU law governing state aid to apply in respect of trade between NI and the EU (Article 9)</p>	<p><b>Subsequent Agreement</b> Replacement in part or in full of Protocol by future agreement (Article 15)</p>
<p><b>Agriculture and Fisheries</b> EU law on (a) sanitary and phytosanitary rules and (b) production and marketing of agricultural and fisheries products to apply to Northern Ireland (Article 5)</p>	<p><b>Specialised Committee</b> Establish a Specialised Committee to facilitate and implementation and application of Protocol (Article 10) including discussion of proposals from North-South Ministerial Council (Article 10)</p>	<p><b>Annexes</b> Lists of relevant EU law in three annexes to be integral part of the Protocol (Article 16)</p>



## UK White Paper – ‘Chequers’

- **Facilitated Customs Arrangement** that would remove the need for customs checks and controls as if in a combined customs territory, while enabling the UK to control tariffs for its own international trade and ensure businesses pay the right tariff;
- **common rulebook for manufactured goods**, alongside UK participation in EU agencies that facilitate goods being placed on the EU market;
- **common rulebook for agriculture, food and fisheries products**, encompassing rules that must be checked at the border, alongside equivalence for certain other rules, such as wider food policy; and
- robust domestic **market surveillance** and cooperation between the UK and the EU to ensure the rules are upheld in both markets.



## Deal or No Deal?

### Timeline to a deal ...?

- Tory Party Conference (30.09-03.10)
- European Council (18.10)
- Extraordinary European Council (November?)

### ... and a ratified deal?

- 'meaningful vote'
- UK ratification
- European Parliament consent



## Brexit – a timeline

