

Press statement by Michel Barnier following the publication of the draft Withdrawal Agreement between the EU and the UK

Mesdames et Messieurs,

Je suis très heureux de vous retrouver à un moment important. Le Collège des Commissaires vient d'approuver cette proposition de texte sur l'accord de retrait que je vais maintenant vous présenter.

C'est aussi un moment important pour la négociation, je dirais presque même un moment clef ou charnière dans ce long processus complexe de cette négociation extraordinaire que nous voulons réussir.

Et donc je suis heureux de vous présenter maintenant ce projet d'accord qui vient d'être diffusé. C'est un texte qui comprend 168 articles, et donc un projet complet d'accord de retrait.

Je voudrais faire trois remarques avant de venir à la substance :

1/ Si nous voulons réussir cette négociation, et je veux la réussir, nous devons accélérer.

Le 30 mars 2019, dans 13 mois, le Royaume-Uni ne sera plus un Etat membre de l'Union européenne. C'est ce qu'il a voulu. Et ce jour-là, nous devons avoir organisé son retrait de manière ordonnée.

Nous avons maintenant besoin de négocier sur la base d'un texte. Parce que le temps est court entre aujourd'hui et l'automne prochain, où nous devons aboutir à un accord définitif sur ce projet de retrait ordonné. Je rappelle toujours qu'il faut garder un certain nombre de mois pour le temps de la ratification, du côté européen par le Conseil des ministres et par le Parlement européen, et aussi par le Parlement britannique. Et voilà pourquoi notre choix est maintenant de travailler et de proposer à nos partenaires britanniques de travailler sur la base d'un texte juridique qui apporte de la clarté.

2/ Il s'agit d'un projet, dont nous allons maintenant discuter avec les Etats membres, en lien étroit avec le Parlement européen.

Nous ne mettrons ce projet officiellement sur la table des négociations avec le Royaume-Uni que lorsque ce travail à 27 et avec le Parlement européen aura été terminé.

Dans le respect de notre engagement de transparence tout au long de cette négociation, nous venons de publier ce projet.

Et ainsi, chacun peut bien prendre la mesure des sujets sur lesquels nous devons nous mettre d'accord avec le Royaume-Uni. Et puis je pense que cette transparence est aussi un outil nécessaire dans le débat public sur le Brexit, partout en Europe. Mais désormais, grâce à ce texte, un outil de débat sur la base de principes juridiques, des faits, de solutions concrètes et réalistes. J'espère que ce document sera également utile pour votre propre travail.

3/ Ce projet de texte ne contient aucune surprise pour nos partenaires britanniques :

Il traduit juridiquement les engagements pris ensemble par l'Union et le Royaume-Uni en décembre dans le "Joint Report".

Il inclut les positions de l'Union déjà connues sur les autres sujets du retrait sur lesquels nous n'avons pas réellement pu progresser depuis décembre.

Il inclut la position de l'Union sur la gouvernance de l'accord de retrait.

Enfin, il inclut la position de l'Union sur la transition qui fait partie de l'accord de retrait, puisque je rappelle que la seule base juridique possible pour la transition, c'est l'article 50.

Ladies and gentlemen,

Allow me to develop briefly each of these points.

I – First, our draft translates into a legal text our joint commitments.

Nothing in here will be a surprise for those who have followed the negotiations.

The draft text ensures that:

- citizens' rights, our priority, will be protected as we had agreed – and we will be vigilant on the need to keep administrative procedures simple and affordable;
- all financial commitments undertaken at 28 will be respected by the UK and the EU;
- North-South cooperation on the island of Ireland will be protected and a hard border will be avoided.

A few words on Ireland:

Our text contains the legal commitments necessary for the protection of the rights of individuals, as well as for the protection of the Common Travel Area.

These points have been already agreed between the EU and the UK.

The withdrawal agreement must also contain a solution to avoid a hard border and to protect the Good Friday Agreement in all its dimensions.

This is a joint commitment by the UK and the EU.

The Joint Report lists in paragraph 49 three options for tackling the problem.

1. First, to deal with this through the agreement on the future relationship, if possible. Obviously, this solution will not be in place at the moment of withdrawal.
2. Second, the UK committed to proposing specific solutions to address the unique circumstances of the island of Ireland. We look forward to receiving these proposals.
3. Third, to maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South cooperation, the all-island economy and the protection of the Good Friday Agreement.

This is the backstop solution that we have to put in the Withdrawal Agreement. It is the only way to guarantee that our joint commitments will be upheld in all circumstances, as the Joint Report requires.

Ladies and gentlemen,

We have applied imagination and creativity to find a specific solution to the unique challenge that Brexit poses for the protection of the Good Friday Agreement.

Two issues are key to avoid border checks:

- First, full alignment with Union law on goods, veterinary and plant health rules;
- Second, Northern Ireland has to be covered by the Union customs code.

Our approach is strictly focused on those areas where it is needed to avoid border checks.

Daily life around the border should continue as today.

As I have said before, already today Northern Ireland has rules in place that are different from the rest of the UK.

But let me repeat what I said in my last press conference: we stand by our commitment to discuss all three options set out in the Joint Report in parallel.

On all these issues, on behalf of the 27, I will continue the dialogue with the political leaders of Northern Ireland. I will meet Michelle O'Neill and Arlene Foster early next week.

Mesdames et Messieurs,

II – Deuxièmement, notre projet de texte inclut nos propositions sur les autres sujets de la séparation.

Là non plus, il n'y a pas de surprise, puisque nous avons traduit juridiquement les positions de l'Union exprimées dans nos "*Essential Principles Papers*", que vous connaissez.

- Sur plusieurs de ces sujets, les négociations ont effectivement commencé, sans que nous ne trouvions au moment où je vous parle un accord. C'est le cas pour Euratom, qui est un sujet important, ou pour la question des biens placés sur le marché. Il y en a d'autres.
- Sur d'autres sujets du retrait ordonné, comme la propriété intellectuelle ou les marchés publics, nous n'avons pas reçu de position britannique, et sur ces sujets-là les négociations n'ont donc pas pu commencer.

Nous espérons aussi progresser sur la gouvernance de l'accord de retrait, qui est un point clé.

Sur ce point, notre position n'a pas changé : nous pensons que la Cour de justice de l'Union européenne doit jouer un rôle pour l'interprétation et la mise en œuvre de l'accord de retrait, chaque fois que cet accord se réfère au droit européen.

C'est la position que nous avons intégrée dans notre projet de texte, avec des dispositions spécifiques déjà agréées dans le "Joint Report" pour la protection des citoyens.

Sur tous ces sujets importants, nous espérons que notre projet de texte permettra de faire avancer et d'accélérer les négociations.

Nous sommes convenus avec la partie britannique de nous retrouver toute la semaine prochaine pour un nouveau round de négociation.

III – Troisièmement, je veux rappeler que notre projet de texte inclut notre proposition sur la période de transition qui a été demandée officiellement par Theresa May au nom du gouvernement britannique, et sur laquelle les chefs d'Etat et de gouvernement et le Parlement européen ont marqué leur accord de principe.

Sur la transition, les discussions techniques de cette semaine confirment, je veux vous le dire franchement, qu'il reste des divergences importantes sur plusieurs points, et je voudrais en citer deux :

Sur les droits des citoyens, notre priorité, le Royaume-Uni souhaite toujours traiter moins favorablement, à la fin de la période de transition, les citoyens qui seront arrivés au Royaume-Uni pendant la transition, par rapport à ceux arrivés avant la transition, c'est-à-dire avant le jour du retrait en mars 2019. Cela reste un sujet majeur pour nous, et aussi pour les Etats membres et le Parlement européen, puisque tout l'acquis de l'Union s'appliquera pendant la transition. Il me paraît juste, normal, de traiter les citoyens qui sont arrivés avant ou pendant de manière équitable ou égale. J'ajoute aussi que notre proposition devrait permettre du côté du Royaume-Uni un système plus simple à gérer sur le simple plan administratif.

Sur l'application des règles européennes pendant cette période courte, du 30 mars 2019 au 31 décembre 2020, le Royaume-Uni demande toujours à pouvoir s'opposer en cas de désaccord avec une nouvelle règle européenne qui entrerait en vigueur pendant la transition. Nous avons rappelé que les règles doivent être les mêmes pour tous pendant cette période. Nous ne prendrons aucun risque de divergence réglementaire pendant la transition.

Et compte tenu de ces désaccords, tels que je viens d'en rappeler deux, mais il y en a quelques autres, je répète simplement que, pour le moment, la transition n'est pas acquise. Et voilà pourquoi je pense que le prochain round de négociation est aussi sur ce point à la fois utile et important.

Mesdames et Messieurs,

Nous allons maintenant discuter en détail, cet après-midi même au Coreper, de ce projet avec les Etats membres. J'ai déjà eu l'occasion d'en parler hier avec les ministres à l'occasion du Conseil affaires générales, et aussi dans la soirée avec les membres du *Brexit steering group* du Parlement européen.

Ces discussions évidemment auront lieu avec toutes les institutions avant que nous ne transmettions officiellement ce document comme un projet pour la négociation avec le Royaume-Uni.

J'espère ainsi que, grâce à ce document, grâce aux négociations que nous allons avoir, nous allons continuer d'avancer comme je le souhaite vers un retrait ordonné du Royaume-Uni de l'Union européenne.

Merci pour votre attention

[Explanatory note on the CSM Assessment Body referred to in Regulation \(EU\) N°402/2013 and in OTIF UTP GEN-G of 1.1.2014 on the Common Safety Method \(CSM\) for risk assessment](#)

Explanatory note on the CSM Assessment Body referred to in Regulation (EU) N°402/2013 and in OTIF UTP GEN-G of 1.1.2014 on the Common Safety Method (CSM) for risk assessment Reference: ERA-GUI-01-2014-SAF Publication Date : 28/02/2018 Published by: Safety Document Types: Guide Keywords: Common safety method;independent safety assessment;accreditation;recognition;cross-acceptance Description: This is an explanatory note on the main requirements to be fulfilled by the assessment body defined in Article 6 of the CSM for risk assessment. It does not contain any legally binding requirements. Related documents:

□The main objectives of this note are to describe the roles and responsibilities of the assessment body and the way to acknowledge their compliance with the requirements defined in the CSM. In particular, the note is intended to help the Member States understanding the responsibilities set on them in Article 13 of the CSM and deciding on whether they opt for the accreditation or recognition of the assessment bodies or any combination of these two options.

The note contains only explanatory information of potential help for concerned users who directly or indirectly need to apply the CSM for risk assessment. It may serve as a clarification tool however without dictating in any manner mandatory procedures to be followed and without establishing any legally binding practice. The note provides explanations on the provisions contained in the CSM for risk assessment. It should be helpful for the understanding of the legal requirements described therein.

The note needs to be read and used together with the CSM for risk assessment in order to facilitate its understanding and application. It does not replace or otherwise amend the CSM.

[Explanatory note on the assessment body referred to in the CSM for risk assessment – EN](#)

[Court of Justice of the European Union: appointment of nine judges](#)

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On 28 February 2018, the representatives of the governments of the member states appointed nine judges and three advocates-general to the Court of Justice of the European Union. Their term of office is six years, starting from 7 October 2018.

The appointments were made as part of the partial renewal of the composition of the Court of Justice, which takes place every three years.

Eight persons were reappointed as **judges**:

- Mr Alexander Arabadjiev (Bulgaria)

- Mr Jean-Claude Bonichot (France)
- Mr Thomas von Danwitz (Germany)
- Mr Carl Gustav Fernlund (Sweden)
- Mr Egils Levits (Latvia)
- Mr Constantinos Lycourgos (Cyprus)
- Mr Jiří Malenovský (Czech Republic)
- Ms Alexandra (Sacha) Prechal (Netherlands)

Ms Lucia Serena Rossi (Italy) was newly appointed as judge.

Mr Yves Bot (France), Mr Giovanni Pitruzzella (Italy) and Mr Maciej Szpunar (Poland) were appointed as **advocates-general**. The appointment of Mr Bot and Mr Szpunar was a renewal of their term of office.

In total, the term of office of 14 judges and five advocates-general will expire on 6 October 2018. Five judges and two advocates-general still have to be appointed in 2018.

The Court of Justice is composed of one judge from each member state and eleven advocates-general. The judges and advocates-general are appointed for a term of office of six years, which is renewable. Every three years a partial replacement of judges and advocates-general takes place.

The judges and advocates-general are appointed by common accord of the governments of the member states after consultation of a panel responsible for giving an opinion on prospective candidates' suitability to perform the duties concerned. They are chosen from among individuals whose independence is beyond doubt and who possess the qualifications required for appointment, in their respective countries, to the highest judicial offices, or who are of recognised competence.

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[27th Management Board takes stock of implementation of recently signed Operational Plans](#)

On 27 and 28 February 2018, the 27th meeting of the Management Board of the European Asylum Support Office (EASO) took place in Valletta, Malta to take stock of the implementation of the Agency's operational support in Bulgaria, Cyprus, Greece and Italy. The meeting also discussed management and administrative issues.

The Management Board meeting, which was chaired by Mr. Wolfgang Taucher, also focused its discussions on the latest asylum trends in the EU+ as well as the

implementation of the Dublin Regulation.

Members of the Management Board, which represents all of the Member States in the EU+, as well as the European Commission and UNHCR, discussed the implementation of the new Operational Plans that were signed between EASO, Greece, and Italy, respectively, as well as the updated Special Support Plan (SSP) that was signed with Cyprus, in December 2017. These Plans provide a mandate for EASO's operational support activities for the asylum authorities in the three countries throughout 2018.

The Operational Plan signed with Greece sustains EASO's existing activities, including supporting the implementation of the EU-Turkey Statement, Dublin processing and capacity-building through training and workshops. In parallel, the Operational Plan signed with Italy has added a new dimension to EASO's activities in the country by mandating the Agency to have an enhanced role in supporting with the handling of registration of applications for international protection, including through the preparation of files in the National Asylum procedure. This measure aims at relieving some of the pressures on the Italian Asylum System. Similarly, the extension of the SSP with Cyprus provides for EASO to support backlog management and in the field of reception and open accommodation.

The Management Board also discussed the asylum trends for 2017, which were released by EASO in January on a [newly enhanced interactive portal](#). Amongst numerous findings, EASO revealed that the EU+ received 43% fewer asylum applications in 2017 than 2016. Syria remained the most common country of origin of applicants, with more than 98,000 applications. Together with Iraqi, Afghan and Nigerian nationals, these four main countries of origin constituted one in three applications throughout the EU+ in 2017. During the meeting, the Management Board also discussed the latest asylum findings from January 2018, which will be published in the coming days.

The meeting also held an exchange on the state of play regarding the functioning of the Dublin system as well as ongoing preparations for the future transition of EASO into the EU Agency for Asylum (EUAA). Once the EUAA Regulation is adopted, the Agency will see its mandate and responsibilities significantly enhanced, while the Management Board will also take on new roles.

[EU announces €24 million to address the humanitarian situation in eastern Ukraine](#)

The funding comes as the European Commission and the United Nations Office for the Coordination of Humanitarian Affairs are organising a high-level

conference in Brussels to raise awareness about the humanitarian consequences of the conflict in eastern Ukraine.

On the occasion, Commissioner for Humanitarian Aid and Crisis Management Christos **Stylianides** said: *“Four years of conflict have put a tremendous strain on the civilian population in eastern Ukraine. We cannot overlook that there’s a humanitarian crisis at the European Union’s doorstep. Supporting all those in need, wherever they are, is a priority for the EU. Our new aid package will provide essential assistance such as food, healthcare and education for children.”*

The new EU funding will help address the basic needs of the most vulnerable populations along the contact line including in the non-government controlled areas. It will help those who fled the conflict areas to neighbouring countries. The EU, together with its Member States, is the biggest donor of humanitarian aid, early recovery and development assistance to Ukraine. With today’s announcement, the EU has now provided over €677 million since the beginning of the conflict in 2014.

Background

Humanitarian needs in particular in the non-government controlled areas are on the rise, notably due to restrictions of humanitarian organisations’ work in these areas, and the suspension of payment of social benefits, including pensions. The provision of essential services, such as water and electricity, is constantly hampered on both sides of the contact line by indiscriminate shelling.

Today’s conference will discuss ways to strengthen crisis response notably through better linking of humanitarian assistance, early recovery and more medium – and long-term reform to improve social cohesion and economic development.

EU funding ensures the provision of food, water and healthcare, including psychosocial activities, essential household items, emergency housing repairs, protection, and education to children.

The EU has repeatedly expressed concern about the deterioration of the humanitarian situation in eastern Ukraine and constantly called for the full implementation of the Minsk agreements. The EU urges all parties to the conflict to re-establish full access of all international humanitarian organisations to the non-government controlled areas and to allow smooth and speedy delivery of humanitarian assistance in line with humanitarian principles and International Humanitarian Law in order.

For More Information

[Factsheet ‘Ukraine’](#)

[Opening speech and press statement by Commissioner Stylianides at the conference](#)

[Photos of the conference](#)