

BREXIT : A RACE AGAINST THE CLOCK**MONITORING GROUP ON THE UNITED KINGDOM'S WITHDRAWAL AND THE REFOUNDATION OF THE EUROPEAN UNION**

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In line with the 17 millions of British votes cast during the referendum of 23 June 2016, the United Kingdom will leave the European Union on 29 March 2019.

While the United Kingdom has been changing its negotiator these days, only a few months remain to reach an agreement on the financial settlement, on the situation of European citizens in the United Kingdom and on Ireland particularly. The Senate's monitoring group report examines the state of the Brexit negotiations, taking note of its progress but also underlining the deadlocks. The fate of Ireland appears to be the most complex issue of the withdrawal agreement. This is why the report advocates an enhanced European solidarity towards this Member State that has played the European card with confidence.

The Senate's report at last makes recommendations on the home stretch for the negotiations and for the agreement on future relations between the European Union and the United Kingdom.

On the Withdrawal Agreement between the United Kingdom and the European Union

The Senate's monitoring group is concerned about the possibility for "Brexit" negotiations not ending on time. A "no deal" could have serious consequences for citizens as well as for companies : it still cannot be excluded because nothing is agreed until everything is agreed.

The risk for the European Union is to face the crucial choice of a "no deal" and an unacceptable reconsideration of its red lines, among which the single market's integrity. In particular, the British proposal of 6 July 2018 seems to look like an "à la carte" single market, which is unacceptable for the Union.

Two pending issues remain, while the useful time to negotiate is short. The Ireland issue appears to be a real challenge.

Regarding the European citizens in the United Kingdom, the monitoring group :

- Asks for the establishment of a protocol separated from the Withdrawal agreement, in order to ensure the preservation of the negotiator's previous achievements in case of unsuccessful negotiations ;

- Calls on the British government to answer the 150 questions asked by the associations representing European citizens on their status, on British administrations to develop sufficient recording capacities and to launch a wide-range information campaign for European citizens living in the United Kingdom so they can all enforce their rights in due course ;

- Considers that a definition of their rights by law, and thus by the British Parliament, would provide the European residents with greater security ;

- Is concerned about the end of the jurisdiction of the European Court of Justice, followed by the supervision by an « independent authority ». The independence of such an authority and its effective means are issues of concern ;

- Considers that some clarifications have to be brought to the British living in the European Union.



The border between Ireland and Northern Ireland (Source : French Senate)

On the Ireland issue, the monitoring group underlines that :

- The fate of Ireland is the most difficult point on Brexit negotiations. The benefits of the common Travel Area (1922) and the Good Friday Agreement (1998) have to be maintained. The implementation of a hard border between the two parts of Ireland is unthinkable. It is not an option.

Nonetheless, Brexit will make the 500km Irish border the external border of the European Union.

At that stage, in the absence of any credible alternative from the British authorities, the so-called « *backstop* » option is the only one credible. It consists in creating a common regulatory and customs area between the Union and Northern Ireland.

The supporters of a hard Brexit, resorting to some kind of blackmailing, would like to shift the responsibility of making decisions to implement the British people's choice on to the European Union.

It is important for the European Union to keep a united front and stand firm regarding its red lines.

The Union must demonstrate its solidarity with Ireland, a member State that played the European card with confidence.

Regarding the financial settlement, the monitoring group takes note of the improvements that laid the basis for a compromise ; It however considers necessary to maintain a high level of vigilance in the ongoing process to ensure all the commitments are honored.



Walls in Belfast (Source : French Senate)

Christian Cambon : « The United Kingdom chose to leave the European Union, but it doesn't know where it is going ! It is urgent to take action. A « no deal » must be prevented ».

On the future free trade agreement :

The monitoring group :

- Considers that the British proposal of 6 July 2018 does not comply with the requirements set by

the European Council on 23 March 2018 as it seems to be like an « à la carte » access to the European market ;

- Asks the British government to clarify its position by specifying the terms and conditions of the envisaged customs union ;

- Considers that the draft proposal doesn't clearly settle the issue of the border with Ireland ;

- Questions the legal force of the British commitments not to practice social or environmental dumping.

As regards the different economic sectors directly affected by the UK's withdrawal, the monitoring group :

- Dealing with the **agricultural sector**, asks for a clarification of the rules concerning the origin of products and their monitoring and the clarification of the controls which are to be introduced in the future free trade agreement in order to prevent the United Kingdom from turning into a re-dispatch platform of third countries' products ;

- **In the field of fisheries**, wishes the continuation of fishing opportunities and existing access to waters for all types of boats, as well as the establishment of a common and sustainable inventory management ;

- Asks for the two following agreements to be guaranteed : the London Convention on fishing, signed in 1964, and the agreement known as the « Granville Bay Agreements » signed by both the UK and France in July 2000 ;

- Regarding industry, considers that the future free trade agreement will have to limit the non-tariff barriers, provide for reduced rates of customs duties and stamp out logistic difficulties due to the restoration of customs control ;

- Finds essential to quickly specify the outline of an **equivalence system for financial services** in order to avoid an increased competition between the United Kingdom and the European Union ;

- Considers that the London located clearing houses should, in accordance with the European central Bank opinion, be transferred in the territory of the European Union.



Work meeting with UK finance (London) -
Source : French Senate

Dealing with security and defence, the monitoring group argues that after its withdrawal, the United Kingdom will remain a crucial partner on defence matters ; thanks to its operational capacity, it will stay a key element in the defense sector in Europe.

The French-British relationship should continue to constitute one of the bedrocks of the Europe of defence. The United Kingdom is indeed the only European country to share the French strategic culture.

The cooperation with the United Kingdom should also stay strong regarding internal security, in particular for the fight against terrorism (police and judicial cooperation, exchange of information).

We will have to find a way and the means for a close association of the UK with European security and defence. A treaty regarding defense and security between the European Union and the United Kingdom will have to be negotiated.

Jean Bizet : « The risk for the Union is to make a choice between a « no deal » and a renunciation of its principles. Neither is acceptable».

	Monitoring group on the United Kingdom's withdrawal and the refounding of the European Union		
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