Council of the
European Union

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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2023) 540 final
Subject:	ANNEX to the Proposal for a COUNCIL DECISION establishing the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community as regards the declaration to be made pursuant to Article 23(4)(a) of Decision No 1/2023 of the Joint Committee

Delegations will find attached document COM(2023) 540 ANNEX.

Encl.: COM(2023) 540 final

EUROPEAN
COMMISSION

Brussels, 12.9.2023
COM(2023) 540 final

ANNEX

ANNEX

to the

Proposal for a COUNCIL DECISION

establishing the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community as regards the declaration to be made pursuant to Article 23(4)(a) of Decision No 1/2023 of the Joint Committee

ANNEX

DRAFT UNILATERAL DECLARATION BY THE UNION WITHIN THE JOINT COMMITTEE ESTABLISHED BY THE AGREEMENT ON THE WITHDRAWAL OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FROM THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY

of XX/2023

pursuant to Article 23(4)(a) of Decision No 1/2023

Pursuant to Article 23(4)(a) of Decision No 1/2023 of the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 laying down arrangements relating to the Windsor Framework ('Decision No 1/2023') the Union declares that it is satisfied:

(i) with the implementation by the United Kingdom of Article 5 of Decision No 6/2020 of the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 17 December 2020 providing for the practical working arrangements relating to the exercise of the rights of Union representatives referred to in Article 12(2) of the Protocol on Ireland/Northern Ireland through the provision of access to information contained in United Kingdom networks, information systems and databases and United Kingdom national modules of Union systems referred to in Annex I to that Joint Committee Decision, noting that the United Kingdom has committed to ensuring significant progress as regards the required data latency and completeness, supported by a business continuity process, and that access by Union representatives to such information is still to be provided in an accessible format in such a way as to allow them to conduct risk analysis including identification of recent and historical trends patterns; and

(ii) that all existing XI EORI registrations are correctly issued; and

(iii) that the United Kingdom has issued new guidance for parcels in line with the arrangements set out in Decision No 1/2023; and

(iv) that the United Kingdom has issued its unilateral declaration on export procedures for goods exiting Northern Ireland to other parts of the United Kingdom.