



Council of the
European Union

Brussels, 28 February 2023
(OR. en)

6927/23
ADD 1

Interinstitutional File:
2023/0065(NLE)

UK 25

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	27 February 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2023) 120 final
Subject:	ANNEX to the Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union in the Joint Consultative Working Group 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 amendment of its rules of procedure

Delegations will find attached document COM(2023) 120 final.

Encl.: COM(2023) 120 final



EUROPEAN
COMMISSION

Brussels, 27.2.2023
COM(2023) 120 final

ANNEX

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to the

Proposal for a COUNCIL DECISION

on the position to be taken on behalf of the European Union in the Joint Consultative Working Group 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 amendment of its rules of procedure

ANNEX

DRAFT DECISION NO [..]/2023 OF THE JOINT CONSULTATIVE WORKING GROUP 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]

amending its rules of procedure

THE JOINT CONSULTATIVE WORKING GROUP,

Having regard to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community¹ (the ‘Withdrawal Agreement’), and in particular Article 15(6) of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement (‘the Protocol’),

Whereas:

- (1) Pursuant to Article 15(6) of the Protocol, the Joint Consultative Working Group (the ‘working group’) is to adopt its own rules of procedure by mutual consent. The working group adopted its rules of procedure at its first meeting on 29 January 2021.
- (2) Since its first meeting, the Union and the United Kingdom have developed the operation of the working group, and identified practices that would improve the manner in which the working group carries out its tasks as defined in Article 15 of the Protocol.
- (3) In particular, these improvements would better ensure that the United Kingdom is able to discuss its views in the working group on Union acts within the scope of the Protocol, including on the basis of input provided by stakeholders in Northern Ireland, so they can be considered before such Union acts are adopted.

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Joint Consultative Working Group shall be amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day following the date of its adoption.

Done at XX, XX February 2023

For the Joint Consultative Working Group
The Co-chairs

¹ [OJ L 29, 31.1.2020, p.7.](#)

ANNEX

Rule 3 of the Rules of Procedure of the Joint Consultative Working Group (*Participation in meetings*) is amended as follows:

- 1) The title is replaced by the following: ‘Participation in meetings and structured sub-groups’
- 2) The following points 3, 4 and 5 are added:
 - ‘3. Where appropriate, the working group shall be supported by structured sub-groups, composed of officials of the European Commission and of the Government of the United Kingdom, which will assist the working group in carrying out its functions as an effective forum for the exchange of information and mutual consultation.
 4. Meetings in the structured sub-groups shall be held, as necessary, to ensure that the United Kingdom’s views on planned Union acts for which information exchange shall take place under Article 15(3) of the Protocol are considered by the Union in a timely manner.
 5. All rules provided in these Rules of Procedure as regards meetings shall apply *mutatis mutandis* to the meetings of the structured sub-groups.’