



Council of the
European Union

Brussels, 15 May 2017
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XT 21016/17

LIMITE

BXT 24

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION authorising the opening of negotiations with the United Kingdom of Great Britain and Northern Ireland for an agreement setting out the arrangements for its withdrawal from the European Union

COUNCIL DECISION (EU, Euratom) 2017/...

of ...

**authorising the opening of negotiations
with the United Kingdom of Great Britain and Northern Ireland
for an agreement setting out the arrangements
for its withdrawal from the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 50 thereof, in conjunction with Article 218(3) of the Treaty on the Functioning of the European Union,

Having regard to the guidelines of the European Council of 29 April 2017,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) On 29 March 2017, the United Kingdom notified the European Council of its intention to withdraw from the European Union.
- (2) On 29 April 2017, the European Council adopted guidelines that define the framework for negotiations under Article 50 of the Treaty on European Union (TEU) and set out the overall positions and principles that the Union will pursue throughout the negotiation.
- (3) In the light of the guidelines of the European Council, the Union should negotiate and conclude an agreement with the United Kingdom setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union ('Withdrawal Agreement'). In addition, the procedural arrangements set out in the statement of the 27 Heads of State or Government of 15 December 2016 and endorsed by the European Council in the guidelines of 29 April 2017 will apply throughout the negotiations.
- (4) The Treaties will cease to apply to the United Kingdom from the date of entry into force of the Withdrawal Agreement or, failing that, two years after the notification, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend this period.
- (5) The negotiations should thus be opened immediately with a view to concluding a Withdrawal Agreement.

- (6) On 5 April 2017, the European Parliament adopted a resolution setting out its position on the withdrawal negotiations.
- (7) The Commission should be authorised to open negotiations for a Withdrawal Agreement and should be nominated as the Union negotiator.
- (8) In accordance with Article 106a of the Treaty establishing the European Atomic Energy Community, Article 50 TEU applies to the European Atomic Energy Community.
- (9) Following the notification under Article 50 TEU, the member of the European Council or of the Council representing the withdrawing Member State shall not participate in the discussions of the European Council or Council or in decisions concerning it,

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to open negotiations, on behalf of the Union, for an agreement with the United Kingdom of Great Britain and Northern Ireland setting out the arrangements for its withdrawal from the European Union and from the European Atomic Energy Community, taking account of the framework for its future relationship with the Union, and is hereby nominated as the Union negotiator.

Article 2

The negotiations shall be conducted in the light of the guidelines adopted by the European Council and in line with the negotiating directives set out in the Annex to this Decision.

Article 3

This Decision is addressed to the Commission.

Done at Brussels, ...

For the Council
The President