



Council of the  
European Union

Brussels, 9 September 2024  
(OR. en)

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Interinstitutional File:  
2024/0179(NLE)

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12559/24  
ADD 1

LIMITE

UK 118  
COMPET 828  
IND 389  
MI 727  
POLCOM 236  
WTO 92  
RELEX 1035  
RECH 374  
GLOBAL GATEWAY 19

#### NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	ST 12512 2024 + ADD 1
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 adoption of a decision adding a newly adopted Union act to Annex 2 to the Windsor Framework - Presidency compromise proposal

Delegations will find attached a Presidency proposal with changes marked as **bold underline** and ~~striketrough~~ as compared to the original Commission proposal set out in documents ST 12512/24 INIT + ADD 1. No changes are proposed for the ADD 1 document.

## ATTACHMENT

DECISION No [...] /2024 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 ...

adding a newly adopted Union act to Annex 2 to the Windsor Framework

THE JOINT COMMITTEE,

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 Community<sup>1</sup> ('the Withdrawal Agreement'), and in particular Article 13(4) of the Windsor Framework<sup>2</sup>,

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<sup>1</sup> [EU OJ L 29, 31.1.2020, p. 7.](#)

<sup>2</sup> Joint Declaration No 1/2023 of the Union and the United Kingdom 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 of 24 March 2023 ([EU OJ L 102, 17.4.2023, p. 87](#)).

Whereas:

- (1) Article 13(4) of the Windsor Framework empowers the Joint Committee established under Article 164(1) of the Withdrawal Agreement ('the Joint Committee') to adopt decisions adding newly adopted Union acts falling within the scope of the Windsor Framework to the relevant Annexes to the Windsor Framework.
- (2) Pursuant to Article 166(2) of the Withdrawal Agreement, the decisions adopted by the Joint Committee are binding on the Union and the United Kingdom. The Union and the United Kingdom are to implement such decisions, which have the same legal effect as the Withdrawal Agreement.
- (3) Whilst Articles 40, 41 and 43 of Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020<sup>1</sup> are applicable pursuant to Article 13(3) of the Windsor Framework, the remainder of the provisions of that Regulation, with the exception of Articles 5-27, 30, 35-37, 42, 45 and paragraphs 1-5 of Article 44 thereof, are provisions of a newly adopted Union act falling within the scope of the Windsor Framework which should be added to Annex 2 to the Windsor Framework,

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<sup>1</sup> [EU OJ L, 2024/1252, 3.5.2024.](#)

HAS ADOPTED THIS DECISION:

*Article 1*

Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020<sup>1</sup>, with the exception of Articles 5-27, 30, 35-37, 42, 45 and paragraphs 1-5 of Article 44 thereof, shall be added to Annex 2 to the Windsor Framework under point 47 “Other”.

*Article 2*

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

Done at ...,

For the Joint Committee

The Co-chairs

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<sup>1</sup> [EU OJ L, 2024/1252, 3.5.2024.](#)