Council of the European Union

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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	10 March 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 91 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 adoption of a decision adding a newly adopted Union act to Annex 2 to the Windsor Framework

Delegations will find attached document COM(2025) 91 final.

Encl.: COM(2025) 91 final

EUROPEAN
COMMISSION

Brussels, 7.3.2025
COM(2025) 91 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 adoption of a decision adding a newly adopted Union act to Annex 2 to the Windsor Framework

ANNEX

DECISION No […]/2025 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[1] ('the Withdrawal Agreement'), and in particular Article 13(4) of the Windsor Framework[2],

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) Articles 66 and 68 of Regulation (EU) 2024/2847 of the European Parliament and of the Council of 23 October 2024 on horizontal cybersecurity requirements for products with digital elements and amending Regulations (EU) No 168/2013 and (EU) 2019/1020 and Directive (EU) 2020/1828 (Cyber Resilience Act)[3] are applicable pursuant to Article 13(3) of the Windsor Framework. The remainder of

[1] OJ L 29, 31.1.2020, p. 7, ELI: http://data.europa.eu/eli/treaty/withd_2020/sign.

[2] 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 (OJ L 102, 17.4.2023, p. 87).

[3] OJ L, 2024/2847, 20.11.2024, ELI: http://data.europa.eu/eli/reg/2024/2847/oj.

the provisions of that Regulation, with the exception of Articles 5 and 67 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,

HAS ADOPTED THIS DECISION:

Article 1

Regulation (EU) 2024/2847 of the European Parliament and of the Council of 23 October 2024 on horizontal cybersecurity requirements for products with digital elements and amending Regulations (EU) No 168/2013 and (EU) 2019/1020 and Directive (EU) 2020/1828 (Cyber Resilience Act)[4], with the exception of Articles 5 and 67, 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 date of its adoption.

Done at …,

For the Joint Committee

The Co-chairs

[4] OJ L, 2024/2847, 20.11.2024, ELI: http://data.europa.eu/eli/reg/2024/2847/oj.