



Council of the
European Union

Brussels, 12 February 2018

XT 21016/18
BXT 17
PV/CONS 4

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(General Affairs Art. 50)
29 January 2018

CONTENTS

Page

1. Adoption of the agenda	3
---------------------------------	---

Non-legislative activities

2. Negotiations following the UK's notification under Article 50 TEU	3
--	---

Draft Council Decision supplementing the Council Decision of 22 May 2017
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

State of play

3. Any other business	3
-----------------------------	---

ANNEX - Statements for the Council minutes	4
--	---

*

* *

1. **Adoption of the agenda**

The Council adopted the agenda set out in 21009/18.

Non-legislative activities

2. **Negotiations following the UK's notification under Article 50 TEU**

Draft Council Decision supplementing the Council Decision of 22 May 2017 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

Adoption

State of play

21004/18
+ ADD 1 REV 1
21011/18

The Council:

- adopted the draft Council Decision supplementing the Council Decision of 22 May 2017 authorising the opening of the 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 together with its Annex (as set out respectively in documents XT 21004/18 and ADD 1 REV 2 to XT 21004/18), and
- decided to record in its minutes the statements attached and to make them public;
- took note of the state of play in negotiations with the UK and discussed the way ahead.

3. **Any other business**

No issues were raised under this item.

STATEMENTS FOR THE COUNCIL MINUTES

Ad "B" item 2: **Negotiations following the UK's notification under Article 50 TEU**

Draft Council Decision supplementing the Council Decision of 22 May 2017 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

Adoption

STATEMENT BY THE COUNCIL

- "1. In line with the European Council guidelines of 29 April and 15 December 2017 it is recalled that the EU is ready to establish partnerships with the UK in the areas of security, defence and foreign policy as well as the fight against terrorism and international crime. Specific arrangements with the UK in these areas could also be considered during the transition period, taking into account the framework for the future relationship.
2. The Council will continue to follow all aspects of the negotiations closely and to keep these negotiating directives under review in the light of progress in the negotiations and update them as necessary.
3. Should the Union be called to authorise the United Kingdom to become bound by international agreements entered into in its own capacity in the fields of competence of Union law during the transition period, providing such authorisation will be the responsibility of the Council in accordance with the relevant procedures under the Treaties."

STATEMENT BY THE COMMISSION

"The Commission will issue, after consulting the Council, a guidance document on a consistent application of the provisions of the Withdrawal Agreement corresponding to paragraph 19 of the Supplementary Directives for the negotiations, which foresees that as a general rule the United Kingdom will not attend meetings of committees referred to in Article 3(2) of Regulation (EU) No 182/2011 or Commission experts groups and other similar entities or of the agencies, offices or bodies where Member States are represented, but that exceptionally on a case-by-case basis the United Kingdom could be invited to attend without voting rights."
