

UK Cabinet Approves Brexit Agreement

November 15, 2018

On 14 November 2018, the UK Cabinet approved an agreement permitting the orderly exit of the UK from the European Union (EU), commonly known as Brexit. Without such Withdrawal Agreement, the UK would crash out of the EU on 30 March 2019, effectively paralyzing trade between the UK and the Bloc. As of this date, the UK will be a third country vis-à-vis the EU, but the Withdrawal Agreement will grant the UK a transition period until 31 December 2020 and a temporary solution to prevent a hard border between Ireland and Northern Ireland. During the transition, the UK will benefit from limited EU membership benefits whilst complying with the vast majority of current and future EU laws. According to the agreement, the transition period may be extended once.

The Withdrawal Agreement has been subject to various modifications since its first publication in February 2018. During the negotiations, the EU and the UK jointly released several versions of the Agreement to illustrate the developments, namely the parts where unanimity was reached. Consequently, the novelty of this recent agreement stems from the consensus on the Irish border, which risks keeping the UK in the customs union indefinitely, and clearer drafting to prevent potential regulatory issues, such as the UK's status vis-à-vis the EU in relation to the transfer of personal data. In other words, the UK will be treated as a Member State of the EU under the General Data Protection Regulation. As a matter of fact, the UK will be treated as a Member State for most EU laws, except for its participation in the EU institutions, bodies, offices and agencies.

Furthermore the text is accompanied by a political declaration on the future relationship between the divorcing parties. This document holds no legal value, and the full text has not been published yet.

The agreement still needs to be approved by the EU Council, and the UK and EU Parliaments. There currently is sufficient time for this process to take place before Brexit day.