European Council

Background Guide

UK-EU Relations Post-Brexit

Lincoln Model United Nations
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Key terms

EU27- The 27 European Union Countries negotiating with Britain (All EU countries except UK)

EU- European Union

UK- United Kingdom

Brexit- British exit from the EU

Introduction to the topic

The 23rd of June 2016 the UK voted by referendum to exit the European Union. After the referendum UK's Prime Minister, David Cameron, resigned as Prime Minister. The ruling Conservative Party had a leadership contest that culminated with the decision of Theresa May becoming the new Prime Minister of the UK. Shortly after Theresa May was named Prime Minister she triggered Article 50 and began the process of exiting the EU early in 2017.

This Council is obligated to reach an agreement regarding Brexit because the UK has already triggered Article 50 of the Lisbon Treaty and there is no turning back now. The Lisbon Treaty states that member states that trigger Article 50 will have a two-year transition period to negotiate with the EU.

Failure to negotiate a deal could spell disaster not only for the UK, but also for all EU member states. Trade might fall to historical lows. EU citizens living in the UK will be affected, and so might British citizens working and living in the rest of the EU. If the Council fails to broker a deal then all trade between the UK and the EU will be conducted by the terms established for clean international trade laws by the World Trade Organization (WTO).

In accordance with sub point 4 of Article 50 of the Lisbon Treaty, the UK shall not participate in the debate regarding Brexit. The role of the European Council is to discuss the position and formulate a proposal for the post Brexit era. After the European Council approves a resolution, a representative of the British government will negotiate and propose changes to said

Resolution. After the British representative shares his position, the European Council will discuss the changes proposed if one of the delegates makes a motion to do so.

Article 50 of the Lisbon Treaty:

1. Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements.

2. A Member State which decides to withdraw shall notify the European Council of its intention. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be negotiated in accordance with Article 218(3) of the Treaty on the Functioning of the European Union. It shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament.

3. The Treaties shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period.

4. For the purposes of paragraphs 2 and 3, 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.
A qualified majority shall be defined in accordance with Article 238(3)(b) of the Treaty on the Functioning of the European Union.

5. If a State which has withdrawn from the Union asks to rejoin, its request shall be subject to the procedure referred to in Article 49.

History of the committee & topic

In 1974 after the Paris summit, President Valéry Giscard d'Estaing created the European Council as an informal way to discuss between the heads of state and

government. Based on actions of the United Kingdom departing from the European Union, this council is created to discuss the union of European countries and determine a stable relationship between them and whether it should be preserved. Estimations and polls show a close division of power between those who support the depart from the union and those who had wish to stay. European countries called upon the meeting to discuss certain aspects of the situation and plans for the future based on specific outcomes. As the break up can lead to economic disaster for Britain, it can also affect other European countries with strong ties in trade and finance, leading to major drops in Europe's economy and historically low trade.

Discussion of the problem

This council shall focus in the discussion of three topics that really need to be addressed in the resolution. Delegates would be allowed to add other topics to the agenda but the following topics will always have priority in this European Council summit. The council is obligated to make a proposal to the UK representative regarding these three topics:

I. Budget Contribution:

The United Kingdom is the third largest net contributor to the EU budget for the current budget cycle that ends in 2020. The big question that the agreement must solve is whether the UK will continue to pay its commitment to the budget till the end of this budget cycle. An estimate from the European Commission states that the UK would also have to pay the EU around €40 to €60 billion of financial liabilities in addition to the budget contributions. All the remaining 27 EU members agree that the UK should finish contributing to this budget cycle, but it would be hard for the British to agree on that.

II. Rights of EU and British Citizens:

EU laws state that if a EU citizen lives for more than five years on another Member State, he/she acquires the permanent right of residence in that country and will be treated as if he/she were a citizen of the Member State. This law will protect all EU citizens with that immigration status in the UK and all UK citizens with that

status in the EU. However, the following issues will need to be discussed:

● To end or not to end freedom of movement of persons to and from the UK. If yes, then establish a timetable for that.
Ex. Date after which freedom of movement rights will no longer apply.

● Rights of European Union country migrants currently residing in the UK for less than five years and also UK migrants with the same situation on a EU country

● Rights of those migrants who have lived in the EU/UK for more than 5 years but failed the citizenship tests

III. Future of the trading relationship:

The EU is Britain's biggest single market export and also accounts for 54 percent of all British imports. On trade the EU has the upper hand, since only 6-7 percent of EU exports go to the UK. But many EU nations have a huge trade dependence on the UK as it can be seen on the *Countries* section of this document. The delegate will have to research on the

different possible solutions and defend the one that best fits the delegate's country and the EU as a whole.

EU Council Voting Procedures

The European Council has two different voting procedures. All decisions about procedures (ex. Approval of agenda etc.) require simple majority (14 out of 27 countries). But for the approval of resolutions the European Council requires a qualified majority. This means that it requires the votes of 55% of EU members (14 out of 27 countries) and the votes of countries that represent a total of 65% of the EU population (see voting weights on Countries section).

Positions

Primary countries:

1. Sebastian Kurz, Chancellor of **Austria** (Voting weight: 1.97%)
Priorities: Citizens Rights in the UK, EU Budget, Better immigration laws.

There are 25,000 Austrians living in the UK, so securing their freedom of movement will be a priority for Sebastian Kurz. The Austrian government also

believes that filling the gap that the UK leaves on the budget would be difficult and out of reach for some nations, they advocate on making the EU leaner and less expensive to maintain.

Sebastian Kurz believes that, "it is important to avoid a hard Brexit". This doesn't mean he supports a soft Brexit since he believes that the UK should be punished so no other country goes in the same path of exiting the European Union.

Position regarding Brexit: Medium hard

2. Angela Merkel, Chancellor of **Germany**
(Voting weight: 18.50%)
Priorities: Integration into the European Single Market

Germany's stance on Brexit is summarized by the slogan they use on this matter, "No cherry-picking". Which means a hard Brexit for the United Kingdom. Germany believes that allowing the UK into the European Single Market with "cherry picking" will be a mistake, and that it would be an statement for other nations that even though you exited the European Union you can still have the same trade relationships as before. Theresa May, the British Prime Minister, wants to be part of the European Single Market without having Freedom of People; and Germany is totally against special deals in the integration of the single market.

They believe that if the Brits have a soft Brexit then other countries will start to demand special treatment like them. They believe that trade agreements should be made as if the UK was another non-EU country.

Position regarding Brexit: Hard

3. Emmanuel Macron, President of **France**
(Voting weight: 15.04%)
Priorities: Trade relationships and strong European Union

France's only interest is to maintain the European Union together and prevent the idea of Brexit from expanding to other European Union members. They also believe that the UK shall choose between total integration into the Single Market or no integration at all. The French government believes that if they don't want total integration to the Single Market then they would have to negotiate a special deal like the Canada-EU trade deal or join the European Economic Area deal made between the European Union and a block

conformed by Ireland, Norway and Liechtenstein.

Position regarding Brexit: Hard

4. Mateusz Morawiecki, Prime Minister of **Poland** (Voting Weight: 8.50%)

Priorities: Citizens rights, EU Funding

Poland is vital in the discussion of citizens rights considering that there are around 1 million polish citizens living in the UK. This makes them the second largest foreign group in the United Kingdom. The Polish government wants to guarantee that their citizens' rights are respected.

They are also the country that receives the highest amount of EU funds, and they are worried about receiving less if the UK stops giving money for the EU budget. They are also worried about a Russian invasion and the UK's role as the strongest military force in the European Union that won't be there to protect them.

Position regarding Brexit: Medium

5. Lars Løkke Rasmusse, Prime Minister of **Denmark** (Voting weight: 1.29%)

Priorities: Europe Security and Economic ties

Denmark maintains close ties with the UK, not only in trade but with national/ international security, including police cooperation and fighting terror. By having this alliance using joint resources, it is seen that efficiency and security has increased greatly for both parties. Brexit could have great consequences for Denmark's economy, therefore discussing a "good deal" and preserving economic relations is in their best interest. Agreements of equal terms and a close efficient partnership are key for the Danish government and people.

Position regarding Brexit: Medium soft

6. Giuseppe Conte, Prime Minister of **Italy** (Voting weight: 13.68%)

Priorities: Citizens rights, financial services, EU budget, future of EU agencies in the U.K

The beginning of the new Italian government was marked by both Lega and Five Star party leaders comments on being pro Brexit. Since they require the support of the EU for the approval of their populist budget they haven't spoken publicly about Brexit for a long time. Lately, Prime Minister Conte has emphasized that Italy's priorities regarding Brexit as the following: protect the rights of the 700,000 Italians

living in the UK, protect the "Made in Italy" geographical product denomination in the UK, and continue with counterterrorism and security cooperation.

Position regarding Brexit: Soft but prefer to be in good terms with Europe for the sake of their populist budget

7. Charles Michel, Prime Minister of **Belgium** (Voting weight: 2.22%)
Priorities: Trade with the UK, Terrorism Intelligence

Trade with the UK is really important for Belgian Industry considering that the UK is the third largest trading partner of Belgium. Also, 9.65% of the Belgian GDP comes from exports to the United Kingdom. Regarding free movement of people, there are 24,975 UK citizens in Belgium and 29,000 Belgians in the UK. He also believes that to combat terrorism the UK shall continue to share intelligence.

They are also one of the founding nations of the European Union and believe that countries should come together to the negotiations table. Charles Michel has a medium soft stance on Brexit.

Position regarding Brexit: Medium soft

8. Pedro Sanchez, Prime Minister of **Spain** (Voting weight: 9.09%)
Priorities: Citizens' rights, commercial agreement, Gibraltar, Scotland

Spain is a really important country in the discussion considering that they need to deal with the issue of Gibraltar. The Spanish government wants the backing of the European Union in the Gibraltar dealing process, but including it in a possible deal might become an issue. Some believe that the Gibraltar issue should be discussed in another deal after Brexit talks are over. They also want Scotland not to receive any special treatment so that Catalonians don't get inspired about it.

In citizens' rights they have an upper hand with the United Kingdom since there are more British in Spain than Spaniards in the UK. Also, Spain receives a lot of British tourism and they would like to maintain that.

Position regarding Brexit: Medium soft

9. Mark Rutte, Prime Minister of The **Netherlands** (Voting weight: 3.37%)
Priorities: Maintain strong trade ties, Dutch citizens rights in UK

The Netherlands and United Kingdom currently have strong partnerships

in politics and their economies. Each being one of their main markets within the European Union, having these relations is almost necessary to maintain their economic partnerships and fluent agreements in trade. With Dutch trade tariffs depending greatly on the UK, new measures are planned depending on the outcomes of Brexit to maintain these ties, however, the Dutch are leaning towards the decision of the UK remaining in the EU.

Dutch citizens living in the United Kingdom are concerned for their status living in a country that can potentially exit the European Union, especially that the number of Dutch residents in the UK and tourists are gradually increasing.

Position regarding Brexit: Medium soft

10. Leo Varadkar, Prime Minister of **Ireland** (Voting weight: 0.94%)

Priorities: Preserve peace in Northern Ireland and maintain the common travel area

Ireland is highly dependent of the UK economically, since the UK is Ireland's second biggest trading partner. They also believe that it is vital to maintain peace between Northern Ireland and Ireland. Both the UK and the EU agree that there shall not be a "hard border" between Northern Ireland and Ireland. They believe that after the UK exits the EU the "Northern Ireland-Ireland" border should be an open border with the same restrictions that apply today. Considering the huge dependency of both countries from each other, Ireland will likely pursue the softest deal possible.

Position regarding Brexit: Softest possible

Further Reading

-"Leaving the European Union - UK Parliament."
https://www.parliament.uk/business/publications/research/eu-referendum/leaving-the-european-union/. Date accessed: January 25, 2019

- "Brexit: Your simple guide to the UK leaving the EU - BBC News."
https://www.bbc.com/news/uk-46318565. Date accessed: October 13, 2019

- "Brexit | Public Interest & Brexit | European Parliament Liaison Office in ...."
http://www.europarl.europa.eu/unitedkingdom/en/brexitpublic/brexit.html. Date accessed: October 19, 2019