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*“Scrutinizing Brexit”*

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Withdrawal of the UK from the European Union, based on article 50 of the TEU is not a one off event. The withdrawal process is an EU law driven process rather than international law driven one. It triggers a complex, multidimensional process based on both legal and political grounds. It is about disentangling interdependencies built over more than forty years.

Adjustments are of political, economic, social, institutional and legal nature. It creates far reaching consequences in short and long term. Unlike in trade negotiations lack of final agreement, called no deal scenario, does not mean status quo ante but a new situation of a serious legal gap. It is also a process in which, in spite of the fact that the notification is addressed to the European Council, and the process involves practically all European institutions, as well as many stakeholders on both sides that have strong vested interests. It is also worth mentioning that while notification and the article as such refer to the withdrawal from the Union, the real challenge behind the whole process is - rather than the fact of leaving - the future relationship, the final destination of the leaving member state which in reality is not even covered by article 50.

All European institutions are involved in this process. The notification is not presented to member states who are parties that signed the treaties but to the European Council. Still member states are involved through the institutions where they are represented and not through their diplomatic representatives. Council of the European Union is involved though adopting negotiating directives. The agreement is concluded by the Council on behalf of the Union. The withdrawal agreement does

not have to be ratified by member states but it requires consent by the European Parliament.

Formal roles of institutions are clear, however, there are additional special conditions, structures and processes, established, often informal, on different levels. Seminars and technical meetings facilitate the process.

European Parliament has been involved in the process from day one, not waiting only for the end of negotiations and conclusion of the deal to provide its consent.

European Parliament is a European institution with political control competences. It is a legislator but in case of Brexit and article 50, the European Parliament is part of the decision making process. As the rejection or approval of the withdrawal agreement, including the transition, comes at the end of the negotiation and rather close to the two year period, the European Parliament took this responsibility very seriously. It insisted on a maximum transparency of the whole process. It organized itself for the sake of Brexit in a way optimizing access to information, established close relationship with the EU negotiator and his team.

The Brexit Steering Group includes in addition to representatives of five major political groups, also the chair of the Constitutional Affairs Committee (AFCO) responsible for the consent procedure. The European Parliament is both contributing to the EU positions in the negotiations and also having access to information on the process. This allows to develop gradually the feeling of ownership and responsibility for the process. In crucial moments of the process the European Parliament adopts also resolutions expressing expectations and concerns.

AFCO has offered an active platform for hearings and debates, meetings with experts, citizens, all stakeholders concerned. So far there have been more than twenty hearings. As AFCO chair I have had over the last two years 215 meetings related to Brexit. I have daily meetings with politicians, officials, from UK, from member states, devolved territories, think tanks, all sectors of European economy. It takes a lot of our time and efforts. But it makes this unprecedented process well informed and reduces the risk of the unpredictable.

AFCO is bearing the responsibility for preparation of the consent procedure in the European Parliament.

According to the Rules of Procedure, Under Rule 99, the consent procedure starts with a recommendation from AFCO to the Plenary to approve or reject the proposed act. No amendments may be tabled and the European Parliament decides by means of a single vote. If the majority is not secured, the consent is deemed as not given, and the withdrawal agreement may be deemed to have been rejected.

Hence, we are doing our utmost to keep all the Members of the European Parliament informed, involved and responsible for the Brexit process. This approach gives Members of the European Parliament full ownership of the process and ensures accountability towards all European citizens.