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General Affairs

Article 50

Luxembourg, 17 October 2017

President

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's internet site or may be obtained from the Press Office.

ITEMS DEBATED

Brexit

The Council, in an EU 27 format, was informed by the Commission Brexit chief negotiator, Michel Barnier, of the progress made so far in the negotiations with the UK. The chief negotiator presented his assessment and said that while progress had been made in some of the key subjects, it could not yet be considered sufficient in all key areas. Michel Barnier explained that therefore moving to the second phase of negotiations was not yet possible.

Delegations of the 27 member states took note of the state of play, expressed their full support to the work and approach of the chief negotiator and confirmed the importance of the unity of the EU 27.

Ministers then finalised preparations for the European Council (Article 50) of 20 October 2017 with a discussion on the draft conclusions for the summit. They supported the proposed draft and agreed to submit it to the European Council (Article 50) without changes.

In the margins of the meeting

– Agencies

In the margins of the meeting of the General Affairs Council (Article 50), ministers held a political discussion on the relocation of the two EU agencies currently based in the UK: the European Medicines Agency and the European Banking Authority.

On 22 June 2017, the EU 27 leaders endorsed the procedure for the relocation of the EU agencies currently located in the UK: the European Medicines Agency (EMA) and the European Banking Authority (EBA).

There have been 8 offers from member states to host the EBA and 19 offers to host the EMA. On 30 September, the Commission published its assessment of the offers ([XT 21075/17](#)), the aim of which is to inform the decision-making process.

On 6 October, in the margins of Coreper (Article 50), the Commission presented its assessment and the member states concerned gave presentations on the offers submitted.

In their political discussion on 17 October 2017, ministers reflected on general considerations to be taken into account for an informed decision, including guaranteeing the business continuity. In the margins of the European Council (Article 50) on 20 October, the prime minister of Estonia will inform the 27 heads of state or government about this discussion.

The decision on the new locations of the agencies will be taken by vote on 20 November in the margins of GAC (Article 50).

[Relocation of the UK-based EU agencies](#)

OTHER ITEMS APPROVED

DECISIONS TAKEN BY WRITTEN PROCEDURE

Joint EU-UK letter to the WTO membership

On 11 October, the Council (Article 50) endorsed the approach with regard to the implications of the UK's withdrawal from the EU within the WTO. This approach is outlined in the joint EU-UK letter to the WTO membership.

The Council (Article 50) also mandated the Commission to submit the joint letter to the WTO membership, to informally engage with WTO members, and to report to the appropriate Council preparatory bodies on the implementation of the approach.

The EU will remain a WTO member and its schedules of commitments for goods, services and government procurement will remain applicable to its territory. However, its quantitative commitments in the area of trade in goods require certain adjustments to reflect the UK's withdrawal. The joint letter presents a common approach concerning quantitative commitments. Tariff-rate quotas would be apportioned based on trade flows, so that the existing level of market access available to other WTO members would be maintained.

The letter also explains that there would be a basis for cooperation regarding the UK's intentions in the WTO areas of trade in services and government procurement.

This approach is without prejudice to the future bilateral relationship between the EU and the UK.

[EU-UK joint letter to the WTO membership](#)
