

Motion

tabled by the CDU/CSU and SPD parliamentary groups

Implementing an orderly Brexit – the Withdrawal Agreement and the Political Declaration as the prerequisite for a close and trusting future partnership between the EU and the United Kingdom

The Bundestag is requested to adopt the following motion:

The German Bundestag notes:

The Bundestag welcomes the fact that the negotiators of the European Union (EU) and the United Kingdom (UK) have succeeded in reaching agreement on the text of the Withdrawal Agreement under Article 50 of the Treaty on European Union (TEU). Together with the Political Declaration setting out the framework for the future relationship, it seeks to arrange the country's exit from the EU in a way which minimises the damage to both sides.

For one fact is inescapable: there will be no winners, only losers, from the United Kingdom's exit from the EU, or "Brexit". Both the EU 27 and the United Kingdom will emerge weakened in terms of economic and foreign policy. For the EU side, the aim of the negotiations was to minimise this damage primarily for the EU 27 and, where possible while safeguarding the EU's own essential interests, to give consideration to the United Kingdom's interests.

The negotiations have made heavy demands of both sides. The result is a compromise, with both sides having made concessions. In this context, it was right to make preserving the peace on the island of Ireland and protecting the Good Friday Agreement a joint, non-negotiable core aim for all Member States from a very early stage. The Withdrawal Agreement achieves this aim by establishing a backstop as a fall-back position in the form of a customs union between the EU and the United Kingdom plus special arrangements for Northern Ireland concerning the single market, in order to avoid border controls between the Republic of Ireland and Northern Ireland.

The Bundestag also welcomes the fact that key German and European interests have been safeguarded. These include, in particular, the protection of EU citizens living in the United Kingdom; the fulfilment of the country's existing financial commitments to the European Union; the agreement of a transition period which is expected to last until the end of 2020, in order to provide planning certainty for citizens and businesses; and a central role for the European Court of Justice in monitoring and enforcing the Agreement, as the highest institution for EU law.

It proved to be a wise decision by the EU 27 to adopt guidelines and a mandate for the negotiations on the basis of a united position in the European Council, but to delegate the negotiations themselves to the European Commission and its representative, Michel Barnier, as Chief Negotiator. This division of responsibilities was essential for the unity and cohesion of the EU. Michel Barnier and his team, led by his deputy, Sabine Weyand, deserve thanks for having conducted the negotiating process successfully.

After being approved by the British government, the outcome received the political endorsement of the heads of state and government of the EU 27 at a special meeting on 25 November 2018. The next step is ratification by the European Parliament and the British parliament. Article 50 TEU does not provide for ratification by the parliaments of the Member States. Political and legal responsibility for approving the text rests with the governments of the EU 27.

In addition, the Bundestag welcomes the fact that the negotiators have reached agreement, at the same time as the Withdrawal Agreement, on a Political Declaration in which the EU 27 and the United Kingdom set out the framework for their future relationship, as provided for in Article 50 TEU. In order to achieve a future relationship of the special breadth and depth envisaged in the Declaration, it will likely be necessary to conclude one or more agreements, at least part of which is likely to require the consent of the Member States' parliaments. The Bundestag will make purposeful use of its participatory rights in this process, starting from the definition of a negotiating mandate.

The Bundestag, too, has a strong interest in the EU having a trusting and good relationship with the United Kingdom. The first step on the path to this new relationship is the successful conclusion of the Withdrawal Agreement and thus the shift to the agreed transition period. A disorderly, no-deal exit would make it considerably more difficult to develop the framework for a new relationship.

The Bundestag expects the legally binding conclusion of the Withdrawal Agreement to succeed and the European Parliament and the British parliament to give their consent. For there will be no better Withdrawal Agreement which is fairer to both sides. Any hope that rejecting the Agreement could lead to its renegotiation will prove to be illusory. The EU 27 has already gone to the limits of what is set out in the European Council's negotiating guidelines. The Agreement is thus in line with the requirements set out by the Bundestag in its opinion of 25 April 2017 (printed paper 18/12135). It must be clear to all that this finely balanced overall package cannot be reopened. For the cohesion of the EU and the integrity of the single market will remain key priorities for the EU 27 in future.

Nonetheless, difficulties ahead cannot be ruled out. This makes it all the more important for all stakeholders and institutions at all levels to prepare for all conceivable exit scenarios. The Bundestag will play its part in ensuring that all necessary legislative measures can enter into force in good time for the exit on 30 March 2019, including in the event that a disorderly exit takes place, in order to protect its citizens and the economy from potential risks. For this reason, the principles of grandfathering and the protection of legitimate expectations must be ensured to the greatest extent possible, including in the post-exit period.

The Political Declaration states that the future relationship between the European Union and the United Kingdom is to attain an unprecedented breadth and depth for cooperation with a third country. The Bundestag fully supports the aim that the EU should strive for the closest possible partnership with the United Kingdom in future, although it will become a third country following its exit and the future relationship will fall short of the breadth and depth of EU membership. In this context, the opportunities for involvement in areas of research, educational exchange and support for youth activities should be explored.

A subsequent agreement in the form of a free trade agreement is intended to ensure that the future trade relations between the EU and the United Kingdom are as close as possible, although the future relationship will fall short of continued membership of the integrated single market. A level playing field (in terms of competition, state aid, etc.) and fair conditions of competition (particularly in the areas of tax, regulation, worker protection, environmental protection and climate action, and social security) must be ensured.

In the field of security cooperation, too, the aim must be to continue the existing relationship to the greatest extent possible and to deepen it, while ensuring adequate legal protection. It is in the EU's interests to agree a close future partnership, based on reciprocity, in the field of internal and external security, in order to continue to jointly safeguard the security and protection of Europe and our citizens.

In view of our common values and shared fundamental principles and given the immense challenges facing Europe, the EU has an interest in achieving as close a partnership as possible with the United Kingdom on matters of foreign, security and defence policy. The Political Declaration establishes a very good basis for this, although the withdrawal of the United Kingdom's representatives from the

bodies and procedures of the Common Foreign and Security Policy (CFSP) will lead to different coordination mechanisms.

Following a successful ratification of the Withdrawal Agreement, it is essential to look to the future. The aim is for the EU to have a close and trusting future partnership with the United Kingdom. As this relationship will be of a different breadth and depth than would be the case if the United Kingdom remained a member of the EU, the door to the European Union must continue to be kept open for the United Kingdom in future.

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