European Commission and UK Government Reach Political Agreement on Windsor Framework

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On 27 February 2023, the European Commission and the Government of the United Kingdom (UK) reached a political agreement on the Windsor Framework. This framework constitutes a comprehensive set of joint solutions aimed at addressing the practical challenges faced by citizens and businesses in Northern Ireland post Brexit, paving a new way forward for the protocol of Ireland and Northern Ireland. The joint solutions cover inter alia new arrangements on customs, agri-food, medicines, VAT and excise duties.

Both the European Commission and the UK Government published several documents and legal texts, which are available here (for UK documents) and here (for EU documents).

Among these documents is "The Windsor Framework: a new way forward", a policy paper released by the UK Government which consolidates the terms of the agreement reached by the European Commission and the UK Government, which has also been presented to the UK Parliament.

According to the policy paper, the Windsor Framework has a three-pronged objective:

- (i) to restore the smooth flow of trade within the UK internal market;
- (ii) to safeguard Northern Ireland's place in the Union; and
- (iii) to address the democratic deficit.

The Windsor Framework sets out the instruments needed to amend the text and provisions of the original Northern Ireland Protocol, which will result in EU law being disapplied across the UK.

In terms of next steps, the new set of arrangements will be approved at the next meeting of the UK-EU Joint Committee, which is expected to take place in March 2023. After that, the European Commission and the UK Government will respectively take forward legislative measures to translate the solutions into law in both legal orders, providing the basis for these new arrangements to enter into force.

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