

## 3.2 THE BREXIT PROCESS

### BREXIT: WHERE ARE WE NOW?

Brexit is taking place through several steps:

- In June last year, UK voters decided to leave the EU in a national referendum.
- In March this year, the UK government gave formal notice to the EU that the UK intends to leave the EU. That started a period of negotiations about the terms on which the UK will leave.
- Those negotiations are currently taking place. The UK and the EU are negotiating the terms of the UK's departure from the EU and the relationship that the UK will have with the EU in the future.
- The rules give two years for these negotiations to take place and for a deal to be agreed. Unless something unexpected happens, the UK will leave the EU by March 2019.
- It is very likely that there will be a period of transition after Brexit. During that time, the new systems that have been agreed will be implemented. Many people expect that some key decisions won't have been made by March 2019. If that happens, the period of transition will include temporary arrangements while final decisions are made.

This briefing gives more details on some important aspects of this process.

### NEGOTIATIONS BETWEEN THE UK AND THE EU

The terms of Brexit are being negotiated between the UK and the EU. The UK government has set out the kind of deal that it is looking for. So has the EU. As with any negotiation, neither side will get exactly what it wants. There will be some give and take.

Indeed, we have seen some give and take already. After the referendum last year, the UK and EU both set out how they wanted negotiations to be conducted. How they are actually being conducted is a compromise between these positions.

It would be possible for Brexit to take place without any negotiations. But almost everyone thinks that would be harmful. For example, it would leave the rights of UK citizens living in other countries unclear, and it would create barriers to trade between the UK and the EU. Many unresolved issues would probably end up being decided in the courts.

### WHAT DO THE NEGOTIATIONS COVER?

The negotiations cover two broad areas:

- **Brexit itself.** This is what some people call the 'divorce deal'. One part of this is about what rights

EU citizens who are already living in the UK will have after Brexit, and what rights UK citizens living in the EU will have. Another part is what bill the UK needs to pay to the EU to cover the financial obligations it has signed up to as a member state. The UK and the EU agree that the UK has obligations – for example, to cover pensions for UK citizens who have worked in the EU. But they disagree about the size of these obligations. Some people in the EU have spoken of a figure of €60 billion. The UK government thinks it owes a much smaller amount.

- **The future relationship between the UK and the EU.** Everyone agrees that after Brexit the UK and the EU should continue to cooperate with each other on many issues. These talks will cover issues such as future trading relations, student exchange programmes, and cooperation on tackling crime and terrorism.

The UK and the EU will probably do several separate deals covering these different areas.

The Citizens' Assembly can't cover all of these issues. That would be too much to deal with in two weekends! We are focusing on the issues of trade and immigration, which many people think are the most important and potentially controversial.

## **HOW IS THE UK'S POSITION DECIDED?**

The UK is represented in the Brexit negotiations by the UK government. David Davis, the Secretary of State for Exiting the European Union, leads the negotiations. He is often called the Brexit Secretary.

The UK parliament is also closely involved in the process. It will hold ministers to account during the negotiations. It will also need to approve the deals that are done between the UK and the EU.

The devolved parliaments in Scotland, Wales, and Northern Ireland also have a role. Brexit will affect their powers. Normally, the UK parliament would not agree to a change to the powers of the devolved parliaments without their support.

This could create difficulties, particularly in Scotland. The Scottish Parliament represents the people of Scotland, who voted against Brexit. The Scottish government wants the UK to have a closer relationship with the EU after Brexit than the UK government is pursuing. The Welsh government accepts Brexit, but it also disagrees with some of what the UK government is doing.

## **HOW IS THE EU'S POSITION DECIDED?**

The EU is represented in the negotiations by the European Commission, led by Chief Negotiator Michel Barnier. The Commission must follow guidelines that have been agreed by the governments of the 27 countries that will remain in the EU.

The Brexit deal must be agreed by at least 20 of the 27 governments. It must also be agreed by the European Parliament.

Some parts of the deal on the future relationship between the UK and the EU might require wider agreement. A 'comprehensive' trade deal of the kind that the UK government wants will have to be ratified by the parliaments of all 27 member states. In the past, that has often been a lengthy and difficult process.