

UK Government and EC Publish Draft UK/EU Withdrawal Agreement

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On March 19, the UK government and the European Commission (EC) published a draft withdrawal agreement (Latest Draft Agreement) which includes the legal text agreed by negotiators on the transition period following the UK's withdrawal from the European Union (EU).

The Latest Draft Agreement is very similar to the EC's previous draft of the withdrawal agreement of March 15, 2018 (Previous Draft Agreement). Further to the Previous Draft Agreement, the UK government has now agreed that the transition period following Brexit will end on December 31, 2020. The transition period is now described as "a transition or implementation period," adding the UK government's preferred term for the period. Various elements of the text are highlighted in green—indicating that both sides agree, or in yellow—indicating that the legal principles are agreed. Additional text remains in white—indicating that discussions are ongoing.

Part Four of the Latest Draft Agreement, also known as the "Transition Part," is very similar to that of the Previous Draft Agreement and is highlighted in green, indicating that this part has been agreed and will only be subject to technical legal revisions in the coming weeks.

The Latest Draft Agreement clarifies the steps that the UK can take towards entering into new international agreements during the transition period. The Previous Draft Agreement stated that the UK "may not become bound by" new international agreements entered into in its own capacity in areas of exclusive EU competence during the transition period unless authorized by the EU. However, the agreed text of the Latest Draft Agreement provides that the UK "may negotiate, sign and ratify international agreements" entered into in its own capacity in areas of exclusive EU competence during the transition period—as long as "those agreements do not enter into force or apply during the transition period" unless authorized by the EU.

The Latest Draft Agreement is available [here](#).

The Previous Draft Agreement is available [here](#).

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