



Speech by Michel Barnier in front of the Committees of Foreign Affairs and the Committees of European Affairs of the Italian Parliament

Rome, 21 September 2017

Presidents,

Members of Parliament,

I am happy to be here to give you an update on the ongoing negotiations.

At midnight on 29 March 2019, the United Kingdom will leave the European Union and will become a third country. This is the UK's sovereign decision. It must be respected.

The question facing us over the coming months is serious, but simple: will the United Kingdom leave in an orderly fashion with an agreement, or not?

From our side, I repeat once again that an agreement is the best outcome. It is in our common interest.

But if we want a deal, time is of the essence. The Treaty on European Union foresees a period of two years to negotiate withdrawal.

- 6 months have gone by since Theresa May's letter on 29 March 2017.

- 6 months will be necessary to allow for ratification before 29 March 2019.

There is therefore only one year left:

- To swiftly reach an agreement on the United Kingdom's orderly withdrawal and to provide certainty where Brexit has created uncertainty: for citizens, for beneficiaries of EU programmes, for the new borders, particularly in Ireland.

- To subsequently define the length and precise conditions of a short transition period, if the British government requests one.

- To begin scoping our future relationship, in parallel to the finalisation of the withdrawal agreement.

The sooner we make real "sufficient progress" on the conditions of the UK's withdrawal, the sooner we can begin discussing our future partnership.

This was the approach set out unanimously by the European Council on 29 April in its guidelines. Above all, this approach is an essential condition for the success of these negotiations.

- Putting things in the right order is the best way to deal with the uncertainty created by Brexit, and the best way to create the necessary trust between us for our ambitious future relationship.

- If we didn't do this, and allowed the uncertainty to continue, and pushed these difficult subjects to the end of the negotiations, then we would run the risk of failure in the absence of trust between us.

Ladies and gentlemen,

We are a few days away from the fourth round of negotiations. I am asking myself questions.

I'm wondering why – beyond the progress we've made on certain points – there is still today major uncertainty on each of the key issues of the first phase.

To make progress, we are waiting for clear commitments from the UK on these precise issues.

We will listen attentively and constructively to Theresa May's important speech tomorrow in Florence.

1/ On citizens' rights, our priority in this negotiation:

- The issue of guaranteeing the rights of EU citizens in the United Kingdom has not been solved.

- It is absolutely necessary that all these citizens, hundreds of thousands of whom are Italian citizens living and working in the United Kingdom, can continue to live as they did before, with the same rights and safeguards.

- This is a human and social question, which the European Parliament and its president, Antonio Tajani, are vigilantly watching, and rightly so.
- Citizens should be able to enforce their rights directly from the withdrawal agreement. This would prevent any possible dilution of these rights, if the rules implementing them in the UK were to change.
- In the same way, we want these rights to be valid in national courts and that national courts have the possibility – or even the obligation – to refer questions related to the interpretation of rights deriving from European law to the Court of Justice of the European Union. The Court of Justice would remain the ultimate guarantor of the agreement.
- This is for a simple reason: rights need to be effectively guaranteed.
- Our citizens have real concerns today – which we share – when the Home Office sends deportation letters or appears to defy High Court orders, as we read in the press.
- Our position on this point has been clear since the beginning. We want to provide the strongest safeguards for the rights of citizens on both sides of the Channel. We are waiting for the United Kingdom to express the same wish.

2/ On the financial settlement:

- All that is necessary in this negotiation is that everyone honours the commitments that they have made to each other. To settle the accounts. No more, no less.
- To settle the accounts in an objective manner, on the basis of all commitments made at 28.
- We want to provide – and we must provide – certainty for project managers working in Europe, such as in Italy and its regions, and in other continents, such as Africa, on the basis of the commitment of the 28.
- But beyond money, this is a question of trust between the 27 and the United Kingdom, based on the respect of one's signature. And everyone knows that we will need this trust to create a solid relationship in the future.

3/ Finally, on Ireland, and the Border in particular, we must act responsibly to respect both the Good Friday Agreement in all its parts and the integrity of the Single Market. We are advancing, but there is still more political work to be done.

As I was saying, I am asking myself questions. These questions, as far as I see it, should not be controversial because this is about protecting our citizens, our businesses, our partners, and the credibility of our promises.

Ladies and gentlemen,

Once we have clarity on these points, we should also define the precise conditions for a possible transition period, if the British government requests one.

This period would begin on 30 March 2019, when the United Kingdom is no longer a member of the European institutions, and therefore no longer takes part in the decision-making process.

An important point: this short transition period will be part of the Article 50 withdrawal agreement.

Without a withdrawal agreement, there is no transition. This is a point of law.

I would like to be very clear: if we are to extend for a limited period the *acquis* of the EU, with all its benefits, then logically *"this would require existing Union regulatory, budgetary, supervisory, judiciary and enforcement instruments and structures to apply"* – as recalled in the mandate I received from the European Council, under the authority of President Donald Tusk.

I am convinced that a rapid agreement on the conditions of the UK's orderly withdrawal, and a transition period, is possible.

For that to happen, we would like the United Kingdom to put on the table, as soon as next week, proposals to overcome the barriers.

To quote Machiavel: *"Dove c'è una grande volontà, non possono esserci grandi difficoltà."* [\[1\]](#).

For all the reasons I have just explained, I repeat that an agreement on the orderly withdrawal is a precondition for any constructive and trustworthy discussion on our future relationship with the United Kingdom.

We want this future relationship!

Ladies and gentlemen,

It was here, in Rome, that the founding treaty of our Union was signed in 1957. And it was here that the Heads of State and Government of the 27 decided, 60 years later, to refound our Union.

This decision was not only symbolic. It has now given a new dynamic to the 27.

This is what President Juncker said in his important State of the Union speech, in the European Parliament on 13 September.

At a time when we are accelerating economically and politically at 27, we are of course open to future cooperation with the United Kingdom, within the framework of a close partnership.

We have been a Global Europe for quite some time now.

We have trade deals with 60 countries with whom we trade goods and services, whilst respecting our social, environmental, data protection and food safety standards.

And we will continue to do so: with Canada and Japan, with Mexico and Mercosur, soon with Australia and New Zealand, as President Juncker announced in his speech last week.

We will obviously continue to trade with the United Kingdom.

The future trade deal with the United Kingdom will be particular, as it will be less about building convergence, and more about controlling future divergence. This is key to establishing fair competition.

Naturally, if the United Kingdom wanted to go further than the type of free trade agreement we have just signed with Canada, there are other models on the table.

For example, Norway and Iceland have chosen to be in the Single Market, to accept the rules, and to contribute financially to cohesion policy.

But one thing is sure: it is not – and will not – be possible for a third country to have the same benefits as the Norwegian model but the limited obligations of the Canadian model.

And naturally, any agreement must respect the regulatory autonomy of the EU, as well as the integrity of its legal order.

Ladies and gentlemen,

This new relationship will go well beyond a trade relationship and will also involve an external, security and defence dimension.

Under the initiative of Federica Mogherini – and as Italy has often advocated – the EU is moving forward. We are strengthening our ability to work together at our borders, and occasionally beyond.

We want to invest together, to do research together and to develop our common capabilities, with particular thanks to the European Defence Fund, as proposed by the European Commission.

The UK will also become a third country in these areas. But because this is about the stability and security of our continent, the EU and the UK should be ready to cooperate in due course.

There should be an unconditional commitment to the security and stability of our continent, as the UK government's paper correctly stated recently. There can be no trade off here.

We are tied to the UK through a community of values and destiny.

Ladies and gentlemen,

The dialogue we are having here today – as in all national parliaments – is essential because our future partnership with the United Kingdom, and its legal text in the form of a treaty, will have to be ratified by you, when the time comes.

Once again, the future of the Union is our priority, not Brexit.

We will advance together, without delay.

Beyond trade policy, our security and our defence, the EU is taking new initiatives in many other areas, such as research, innovation, the digital agenda, energy, the fight against climate change, and migration.

Allow me therefore to conclude by repeating the words of your President of the Council, Paolo Gentiloni, when he was commenting on the return of the European spirit and economic growth: *"This is not the time to relax, but to take advantage of the momentum, to take the European project into our*

hands and bring it into the future."[\[2\]](#)

[\[1\]](#) "Where the willingness is great, the difficulties cannot be great".

[\[2\]](#) "Non è il momento del relax, ma di approfittare di questo slancio, per prendere in mano tutti insieme questo progetto e riportarlo ancora una volta tutti in avanti". (Etats généraux des Italiens dans les institutions européennes, 23 juin 2017)

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Press contacts:

[Margaritis SCHINAS](#) (+ 32 2 296 05 24)

[Daniel FERRIE](#) (+32 2 298 65 00)

General public inquiries: [Europe Direct](#) by phone [00 800 67 89 10 11](#) or by [email](#)