24 November 2018

Mr Jeppe Tranholm-Mikkelsen
Secretary-General
Council of the European Union

Secretary-General,

I am writing to set out the view of Her Majesty’s Government on Article 184 of the Withdrawal Agreement (Negotiations on the future relationship), which I have annexed to this letter.

This interpretation is, of course, without prejudice to Her Majesty’s Government’s policy and view that it will negotiate the future agreements implementing the Joint Political Declaration on behalf of all territories for whose external relations the UK is responsible to ensure an appropriate and beneficial future relationship with the European Union, taking into account their existing relationships with the European Union.
Interpretation of the United Kingdom of Article 184 of the Withdrawal Agreement

Her Majesty's Government notes that the sole purpose of Article 184 of the Withdrawal Agreement is to create best endeavours obligations for the Union and the United Kingdom to negotiate agreements governing their future relationship; that it imposes no obligations regarding the territorial scope of such agreements; and that there is therefore no obligation or presumption, on the basis of this provision, for such agreements to have the same territorial scope as the one provided for in Article 3 of the Withdrawal Agreement.