



2025/800

28.4.2025

COUNCIL DECISION (EU) 2025/800

of 14 April 2025

establishing the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community as regards the adoption of a decision adding a newly adopted Union act to Annex 2 to the Windsor Framework

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 50(2) thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ⁽¹⁾ (the 'Withdrawal Agreement') was concluded by the Union by Council Decision (EU) 2020/135 ⁽²⁾ and entered into force on 1 February 2020.
- (2) Pursuant to Article 13(4) of the Windsor Framework ⁽³⁾, which forms an integral part of the Withdrawal Agreement, the Joint Committee established under Article 164(1) thereof (the 'Joint Committee') is empowered to adopt decisions to amend the relevant Annexes to the Windsor Framework by adding newly adopted Union acts that fall within the scope of the Windsor Framework, but which neither amend nor replace Union acts listed in the Annexes to the Windsor Framework.
- (3) Articles 103 to 107 and Article 109 of Regulation (EU) 2024/1689 of the European Parliament and of the Council ⁽⁴⁾ are applicable pursuant to Article 13(3) of the Windsor Framework. The remainder of the provisions of that Regulation, provided that they contain conditions and technical specifications for the placing on the market of products, or relate to the provision of services that may affect the free movement of products, are provisions of a newly adopted Union act falling within the scope of the Windsor Framework which should be added to Annex 2 to the Windsor Framework. This does not apply to Articles 102, 108 and 110 of Regulation (EU) 2024/1689.
- (4) The Joint Committee, at its next meeting, should adopt a decision pursuant to Article 13(4) of the Windsor Framework adding this newly adopted Union act, as regards provisions which contain conditions and technical specifications for the placing on the market of products or relate to the provision of services that may affect the free movement of products, and with the exception of Articles 102, 108 and 110 thereof, to Annex 2 to the Windsor Framework.
- (5) It is appropriate to establish the position to be taken on the Union's behalf within the Joint Committee as regards the adoption of a decision adding the newly adopted Union act to Annex 2 to the Windsor Framework,

HAS ADOPTED THIS DECISION:

⁽¹⁾ OJ L 29, 31.1.2020, p. 7, ELI: http://data.europa.eu/eli/treaty/withd_2020/sign.

⁽²⁾ Council Decision (EU) 2020/135 of 30 January 2020 on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 1, ELI: <http://data.europa.eu/eli/dec/2020/135/oj>).

⁽³⁾ Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 (OJ L 102, 17.4.2023, p. 87).

⁽⁴⁾ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024, ELI: <http://data.europa.eu/eli/reg/2024/1689/oj>).

Article 1

The position to be taken on behalf of the European Union within the Joint Committee established under Article 164(1) of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (the 'Joint Committee') is set out in the draft decision of the Joint Committee attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 14 April 2025.

For the Council

The President

K. KALLAS

DRAFT

**DECISION No .../2025 OF THE JOINT COMMITTEE ESTABLISHED BY THE AGREEMENT ON THE
WITHDRAWAL OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
FROM THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY**

of ...

adding a newly adopted Union act to Annex 2 to the Windsor Framework

THE JOINT COMMITTEE,

Having regard to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community⁽¹⁾ (the 'Withdrawal Agreement'), and in particular Article 13(4) of the Windsor Framework⁽²⁾,

Whereas:

- (1) Article 13(4) of the Windsor Framework empowers the Joint Committee established under Article 164(1) of the Withdrawal Agreement (the 'Joint Committee') to adopt decisions adding newly adopted Union acts falling within the scope of the Windsor Framework to the relevant Annexes to the Windsor Framework.
- (2) Pursuant to Article 166(2) of the Withdrawal Agreement, the decisions adopted by the Joint Committee are binding on the Union and the United Kingdom. The Union and the United Kingdom are to implement such decisions, which have the same legal effect as the Withdrawal Agreement.
- (3) Articles 103 to 107 and Article 109 of Regulation (EU) 2024/1689 of the European Parliament and of the Council⁽³⁾ are applicable pursuant to Article 13(3) of the Windsor Framework. The remainder of the provisions of that Regulation, provided that they contain conditions and technical specifications for the placing on the market of products, or relate to the provision of services that may affect the free movement of products, and with the exception of Articles 102, 108 and 110 thereof, are provisions of a newly adopted Union act falling within the scope of the Windsor Framework which should be added to Annex 2 to the Windsor Framework,

HAS ADOPTED THIS DECISION:

Article 1

Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act), as regards conditions and technical specifications for the placing on the market of products, and for their putting into service insofar as the free movement of products is concerned, and with the exception of Articles 102, 108 and 110 thereof, shall be added to Annex 2 to the Windsor Framework under point 47 'Other'.

Article 2

This Decision shall enter into force on the day following the date of its adoption.

Done at ..., ...

For the Joint Committee

The Co-chairs

⁽¹⁾ OJ L 29, 31.1.2020, p. 7, ELI: http://data.europa.eu/eli/treaty/withd_2020/sign.

⁽²⁾ Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 (OJ L 102, 17.4.2023, p. 87).

⁽³⁾ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024, ELI: <http://data.europa.eu/eli/reg/2024/1689/oj>).