



A Reset in EU-UK Relations: If Not Now, When? A Personal View from Brussels

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Setting the scene

I was sad to see the UK leave the EU. I studied in the UK, and I met my (French) wife at Reading University. I received a British Council scholarship to spend 10 months in the Soviet Union from 1977 to 1978. One of the things that saddened me most was Britain leaving ERASMUS. All through my EU career, I enjoyed working with British colleagues in the national administration, and above all with British EU officials, who were of high quality and raised the standards in our administrations. I was therefore proud when the EU institutions, after the Brexit vote, refused to sack EU staff with the British nationality.

Ever since the British exit from the EU relations have been strained; this is not surprising since a divorce is always painful.¹ Over the last months, as the negative effects of Brexit have been sinking in, even the present Conservative government has seen merit in concluding the 2023 Windsor agreement with the EU on goods crossing the Irish Sea from Great Britain to Northern Ireland. It has also acted the return of the UK into the EU research programme. But we should not overstate the significance of these practical moves. This is not a mood change on their part, nor a political drive to reassess the relationship in any profound way.

And yet there comes a time when looking back in anger is counterproductive and sterile for both sides. The situation in the world today requires restoring confidence in the ties between Brussels and London. The upcoming elections in the UK and the start of a new institutional cycle in the EU provide an opportunity for a reset; it will be neither automatic nor easy, whoever will be in charge in London, also since the media landscape is still the old one. But it is both necessary and feasible with a new government.

The EU leadership overall shares this view. A week after the Brexit vote, on 29 June 2016, the members of the European Council meeting at 27 in Brussels stated the following: "In the future, we hope to have the UK as a close partner of the EU, and we look forward to the UK stating its intentions in this respect. Any agreement with the UK as a third country will have to be based on a balance of rights and obligations. Access to the Single Market requires acceptance of all four freedoms." All of this is still true today. I have sat in all the European Council meetings discussing Brexit. Even when the going was roughest, I felt no animosity towards Britain nor heard any leader express anything but regret about the British leaving the club.

¹ See Jim Cloos, 'Open letter to British friends from a bemused European', Egmont – Royal Institute for International Relations, 18 March 2021; and Jim Cloos, 'Relations Between the EU and the UK', Egmont – Royal Institute for International Relations, 27 September 2022. A good British friend of mine told me one day that I sounded like a jilted lover. Quite so!

Addressing European security together

Today, the world is burning, and the whole of Europe is under siege. The Russian aggression against Ukraine has changed the traditional paradigms. Both the EU and Britain have a major stake in assisting Ukraine and foiling Putin's plans. Europe must up its game across the board. David Miliband recently said that "we [Britain] need to be at the [global] table, not on the menu." That also applies to the EU. We share the same fractured neighbourhood and the same geopolitical and security challenges.

The reset in our relations must start here; there is no time to lose. Also because of the uncertainty on the future direction of the US. What if Donald Trump is elected and carries out his threats concerning NATO and Ukraine? What if the growing rivalry between the US and China will force the Europeans into exceedingly difficult choices? The differences between the EU and the UK will look ridiculously small in that event. We need an ambitious and wide-ranging framework agreement on security.² I will be brief because some excellent papers recently published on the EIAG website convincingly make the case for such an agreement.

The idea to reinforce defence and security cooperation is not new because it is such an obvious one. Just think of Saint Malo between France and the UK in 1998. Both countries have never stopped cooperating, even after Brexit. The Franco-British defence partnership of Lancaster House (2010) continues to function. They are currently the only two European powers with serious operational capacity, nuclear weapons, and a permanent seat in the UN Security Council. There is however a *caveat* in my view: this bilateral cooperation cannot be a substitute for an agreement between Britain and the EU as such. It is a logical entry point for Britain into a closer association with European Security and Defence Policy (ESDP). The French are the key drivers behind developing this policy in a much more forceful way. Paris now even mentions the nuclear deterrence element as part of the future discussions, which again raises the question of relations with the UK.

I do not overestimate the present importance of ESDP. But things are now changing because of the outside pressures and the doubts about future American protection. The EU is slowly moving towards becoming a much bigger player in the security and defence area; and it will in any event be central in developing a European armaments industry. This is one of the rare areas where the EU's margin of manoeuvre has grown because of Brexit. The UK functioned as a brake because it was always afraid of European moves towards more autonomy would weaken NATO, even though it would have strengthened the alliance and been a positive response to the constant complaint of Washington that the Europeans should do more for their own defence. Today, doubts about continued American heavy involvement in European defence originate in Washington rather than Europe. This is at least to some extent a matter of capacity: with the rise and growing assertiveness of China, the fear in Washington is that the US is overextended in its security commitments. Hence the wish to see the Europeans shoulder the main burden of their own defence. The question is whether and how Britain wants to be part of what I think will happen and gather speed in the coming years within the EU.³ I would add that this could have positive ricochet effects on other areas of cooperation, starting with the industrial sector.

² The recently created European Political Community, which gathers all European countries except Russia and Belarus, is a useful forum for discussion but it will not be an operational one.

³ A European Defence Community treaty was signed by the Six in 1952. It failed because the French Assembly refused to ratify it.

Prime Minister Theresa May and Michel Barnier were right when they made proposals on closer cooperation after 2016; the former set out an ambitious agenda for shared security cooperation at the Munich Security Conference in 2018, and Michel Barnier proposed a framework for foreign policy cooperation in the Political Declaration. All those ambitions unravelled quite quickly, for political reasons. But that was before 24 February 2022, which changed our world. Recent polls show that over 70 per cent of EU citizens want a much stronger EU role in security and defence. I am confident that they would also respond positively if asked about involving the UK in that effort.

Making the present arrangements work

Of course, all of this will come to naught if the two sides do not manage the present arrangements correctly. The EU-UK Trade and Cooperation Agreement (TCA) and the Northern Ireland Protocol have helped to prevent the worst in our relations. It was positive to see the recent flexibility on both sides to adapt the protocol and to avoid unnecessary bureaucratic obstacles. The deal remains fragile and requires careful management.

The TCA is working all right, but of course it does not cover the two biggest sectors of UK exports, namely the financial sector and the creative industries. And policies like fisheries will remain a troublesome area. The access of EU fishing boats to British waters will run out in 2027. This will be one of the areas where the EU side will be asking for British flexibility. The review of the TCA foreseen in 2025 will come at an interesting time.

What is most urgent is a sanitary and phytosanitary (SPS) agreement. In the absence of one, British agricultural and food exports to the EU experts have plummeted. The reverse is not true because Britain has not managed or not wanted to set up the required sanitary and phytosanitary checks on its side; But once it happens [at the end of April], one can expect major disturbances at the borders, a drop in EU exports to Britain and empty shelves in British shops. It is time to end uncertainty on both sides and make life easier for exporters and importers alike. It is an absurd and wasteful to submit to extensive checks at the borders trade flows that did not create sanitary problems over the last fifty odd years. People should ask themselves whether “setting one’s own sovereign standards” in this area is worth all the trouble it creates.⁴

Enriching the partnership

There is a vivid internal debate in the UK about the effects of Brexit. I do not want to enter that debate except to say that COVID-19 and the return of inflation have blurred the image. My guess is that as the effects of the latter subside, the Brexit effects will become more visible. My key point is another one: if the UK wants to address the drawbacks of Brexit, it must have a clear picture of what the effects are and be ready to tell the public about it in an honest fashion.⁵

Recent work on an EU-UK forum on financial services, negotiations on a competition cooperation agreement, the renewed British participation in the Union’s research

⁴ Peter Foster has repeatedly drawn attention in the Financial Times to the damage created by the absence of an SPS agreement. It is worth reading his analysis.

⁵ According to William Keegan, Labour is overly cautious in recognising the negative consequences of Brexit: see William Keegan, ‘How can Labour fix Britain’s ‘economic failure’ without rejoining the EU?’, *The Guardian*, 28 April 2024

programmes, and the dialogue on cyber crime are ways of enriching the existing framework. But there are other possible 'deliverables' with a bit of goodwill:

- The EU will certainly be open to having the UK rejoin Erasmus and take part in the future Youth mobility scheme; this would send a positive message to the young people in Britain who were frustrated by Brexit.
- The UK government has declined an offer to become an official member of the ITER nuclear fusion project, having lost access to it following Brexit. This is surprising since ITER is a world-wide project bringing together all the major powers working on nuclear fusion. It is strange to me that "global Britain" refuses to take part in this venture. An agreement with EURATOM would also make sense.
- The UK no longer plays any part in the development of Galileo, and it does not use Galileo (including the future Public Regulated Service) for defence or critical infrastructure. Yet Galileo is and will be even more in the future a guarantor of European autonomy.
- Migration is an obvious area for cooperation. No individual country can manage this file on its own, as Brexit has shown. Cooperation particularly with neighbouring countries is necessary. That is the reason the EU has concluded migration agreements with countries like Turkey or Tunisia to control the flow of migrants. Why not one, with a different content of course, do one between the EU and the UK, including a joint reflection on legal migration?
- Concerning police cooperation, the UK has lost access to the Schengen Information System and is no longer a member of Europol, even though the TCA enables UK liaison officers to be present in Europol's headquarters to facilitate cross-border cooperation. But the latter looks like a very minimalist approach. Crime knows no borders and close cooperation would be in the interest of all European citizens. Why throw away the experience gathered in the previous years?

Understanding how the EU works

I was wondering what I would reply to British politicians asking about the best way to go about creating a partnership with the EU. Here is what I would say:

1. The EU is difficult to understand and manage for third countries. It should be easier for the British who were a member of the club for 47 years. But is it really? Britain was always a bit on the edges with its multiple opt-outs. Then, as time went on, parts of the political establishment adopted an increasingly ideological stance on EU affairs; British pragmatism evaporated when it came to Europe. It was also striking to see a huge gap opening between the political classes and the administration. This is a more general phenomenon world-wide, but it was surprising in the country that produced 'Yes Prime Minister' or 'Yes Minister'. And what to say about the British press, or influential parts of it; they loved to hate the EU and presented a caricatural picture of a bureaucratic behemoth working to erode British sovereignty. Now that Britain has "regained its sovereignty," people will tire of peddling that image. I have no great illusions on that account. But certainly, responsible politicians must understand that it is time to talk about the

real EU, not some banana straightening fantasy. If you want to do deals with the EU, it helps to understand how it really functions, rather than setting up strawmen and then shoot them down to impress the nationalists.⁶ The mood will only change once the political leaders start talking about a positive agenda with the EU⁷.

2. Any British government will logically defend British interests. But so will the EU. It is not the same being outside or inside; it will be *give and take*, and both sides must benefit. While inside the EU, the UK adopted a purely transactional approach. If a proposal made by the Commission was “more than 50% in the British interest”⁸, it would support it and seek allies; if not, it would oppose it. I remember a speech by then Foreign Secretary Malcolm Rifkind in, I believe, 1997, where he gave a beautiful presentation of that philosophy. Unfortunately, it is not the way things work within the EU. Take the Franco-German couple for instance. They had decided early on that they would always try to find a compromise between their normally quite divergent starting positions. This means accepting to conceded ground in one file to be “paid back” in another. That allowed the couple to have structural influence and to often set the scene for the debate in the Council. The British way of going about things prevented Britain from ever being part of this relationship (or managing to break it up!). And yet, London was always much closer on economic affairs to Berlin than Berlin was to Paris, while on security and defence, London and Paris worked together more closely than either of them did with Germany. Now that Britain is a third country, the transactional approach will naturally be the default option, but it will hold for the two sides! There will be no one-sided cherry picking nor a free ride.
3. The recipe of *divide and impera* will not work, because of the way the EU functions. When negotiations started after the Brexit vote, people in Brussels were scared that the British would “pull us over the table” with their excellent negotiating skills. I never shared that view. For two reasons: one, because London, while indeed having an impressive administration, was less and less listening to the civil servants; two, and more crucially, in a negotiation like the one about the exit of the UK, the EU’s weakness was also its strength. Brexit is ‘*Chefsache*,’ which means that the European Council takes the big decisions, and this needs consensus. The British did try to build “coalitions” with individual Member States, but to no avail. The reason is simple. If Luxembourg believes that its financial centre will suffer because of a deal with Britain, it will veto it. Yes, even Luxembourg! And look at the way the EU has stood behind Ireland all through the Brexit negotiations. Or at Gibraltar: the day Britain announced it would leave the EU, Spain asked for and got a footnote in the EU mandate for negotiations with the UK saying that any arrangement on Gibraltar had to be cleared with Spain first.⁹ Then there was this naïve belief to enrol the German car industry on behalf of British interests. But the Single market was more important for Germany; and in any event, Germany cannot impose things against the vital interests of the

⁶ I am sorry to say that David Cameron did this before each European Council meeting when he was Prime Minister. At the General Secretariat of the Council, we were betting on the next theme he would pick to slay the Brussels dragon. That made it difficult to turn round later and explain that a dragon was a useful animal. But let us leave this to history and look forward.

⁷ And stop talking about the “bloc.” It is insulting because it recalls the Soviet bloc. We are not a “bloc”, we are a Union. See Bobby McDonagh, ‘Stop referring to EU as a ‘bloc’ – this is divisive linguistic rot imported from Britain’, *Irish Times*, 29 April 2024

⁸ I never understood how they calculated such a thing!

⁹ Talks are ongoing on finding an arrangement concerning Gibraltar, which was not part of the 2020 deal. A recent European Parliament Resolution seems to have thrown a spanner in the works because it calls Gibraltar a colony and accuses it of money laundering. But it is unlikely that this will derail a final agreement.

other Member States. In an interview with the Financial Times on 17 April, Shadow Foreign Secretary David Lammy stated that the UK “should single out 4 EU MS with which the UK should double down on close relations.” That is not a promising idea, at least not if the intention is to bludgeon recalcitrant Member States into submission within the Council or the European Council. It is an altogether different matter if it means pleading for close channels of communication for instance on security and defence with France and the other major EU actors in this field. That is not only acceptable, but also plain common sense.

Concluding remarks

There is no need to rush things before the British elections. There is no point in the EU putting ambitious proposals to the outgoing government or today’s opposition. The government fears handing arguments to Farage’s new party, and the opposition will not want to be seen as selling out British sovereignty. The negative Labour reaction to the Commission’s offer to include the UK in the upcoming Youth Mobility scheme was regrettable but foreseeable. In any event, the EU should let the UK side come to the table when they are ready; it was Britain that divorced from the EU, not the opposite.

Even after the elections, common sense pleads for a pragmatic approach. David Lammy says the same in a Foreign Affairs article entitled ‘The case for progressive realism’. Speculating about a return of Britain into the EU at this stage makes no sense.¹⁰ In fact, even Lammy’s suggestion about Britain being invited to EU meetings, including the Foreign Affairs Council, is not helpful because this is sensitive, both politically and legally. There are other and less controversial ways of communicating and interacting.

What we need is less public rhetoric and more quiet work behind the scenes to prepare for a reset after the elections. I see particular merit in discrete soundings before the adoption of the EU’s new Strategic agenda by the June (or July) European Council. A simple mention of the need to improve relations with the UK would help. Getting a political nudge from the European Council works wonders in the EU system.

Finally, attitude matters. We cannot control what the press will write but we can control what we say to the press. Responsible politicians should talk to each other like adults who know that the EU and Britain must work together. For this, there is no need to wait til after the British elections. It would be an effective way of preparing the ground for the reset we need if we want Europe to survive as a player that matters in an unceasingly difficult and even hostile world.

Jim Cloos is a member of the European & International Analysts Group and is presently Secretary General of the Trans European Policies Studies Association. He was Director General for General and Institutional Policy at the General Secretariat of the Council, 2010-2020; and Head of Cabinet of the President of the Commission and EU Sherpa for the G8, 1995-1999

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¹⁰ Even though the question of rejoining the EU is nudging its way back into the public debate in the UK. Professor John Curtice recently commented that he expected another EU referendum before 2040.



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 contact@eiag.org.uk

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