



Queen Mary
University of London



What is left of British influence in Brussels?

Report of the NEXTEUK – EU-UK Forum Policy Roundtable
(12/10/2021)



NEXTEUK Policy Paper Series, December 2021

Editor: Sarah Wolff, Director of the Centre for European Research, Queen Mary University of London

Disclaimer: "The European Commission's support for the production of this publication does not constitute an endorsement of the contents which only reflect the views of the authors, and the Commission cannot be held responsible for any use of the information contained therein"

The NEXTEUK Policy Paper Series serves to disseminate the research of the Centre for European Research, a Jean Monnet Centre of Excellence on the Future of EU-UK Relations, in a format that benefits both policymakers and the wider public. It is aimed to strengthen links between the academia and the policy world and inform decision-making as well as the public discourse. The NEXTEUK project aims to study the future of EU-UK relations in light of Brexit. It provides cutting-edge research as well as teaching and engages in innovative policy and public engagement activities in a wide range of policy areas involving young and senior academics, students, the general public as well as policymakers. The two main objectives of NEXTEUK are to promote excellence in teaching and research in EU studies, and to foster a dialogue between the academic world and policymakers, in particular to enhance the governance of the EU's policies and its relations with the UK. In so doing, the project maps the historical achievements in the context of the EU-UK relationship and analyses the emerging challenges to this relationship.

About our partner:

The EU-UK Forum seeks to serve as a support to the official deliberations that will now become an everyday reality. The United Kingdom has left the European Union but the UK will need – and want – to maintain a constructive and informed dialogue with its European neighbours (and vice versa). The EU-UK Forum – a joint initiative of Forum Europe and Encompass – aims to facilitate and nurture that dialogue. There is a growing appreciation that 'Brexit' is a process, not a final destination, and that this process will mean ongoing discussions and negotiations for many years to come. There is no precedent for this state of affairs. Politicians and civil servants will be challenged to create and sustain the many kinds of dialogue that will inevitably flow from the UK's departure from the EU. The EU-UK Forum is non-partisan and its primary objective is to contribute to making future EU-UK relations as mutually beneficial as possible. The Forum is conceived as a platform for discussion, debate and information exchange where participants will have the opportunity not just to stay informed about ongoing EU-UK relations but also offer insights, expertise and ideas on how that relationship could evolve in the future.



About the authors:

Tinahy Andriamasomanana is a PhD candidate within the School of Politics and International Relations (SPIR) at Queen Mary University of London. Her research examines how the European Commission frames key policy issues in its discourse relating to deportation, external border management, and counter-terrorism in the EU Area of Freedom, Security and Justice. She holds a BA (Hons) in Political Science from McGill University and an MSc in International Migration and Public Policy from the London School of Politics and International Relations (LSE). Alongside her PhD, she works as a Teaching Assistant at SPIR.

Tinahy Andriamasomanana
Centre for European Research
Queen Mary University of London
Email: tinahy.andriamasomanana@qmul.ac.uk



Dr Agathe Piquet is post-doctoral research assistant to the NEXTEUK Project on the future of the EU-UK relations, a Jean Monnet Centre of Excellence Project co-funded by the Erasmus + Programme of the European Union, and teaching fellow at Queen Mary University in London. She is also research associate at Panthéon-Assas University where she recently completed a PhD in political science, entitled on Europol and European police cooperation. She is an expert in public policy, European studies and internal security policies.

Agathe Piquet
Centre for European Research
Queen Mary University of London
Email: a.piquet@qmul.ac.uk



Dr Sarah Wolff is Principal Investigator of the Jean Monnet Centre of Excellence NEXTEUK project on the future of EU-UK Relations. Reader in European Politics and International Relations at Queen Mary University of London, she is Director of the Queen Mary Master in International Relations at the University of London Institute in Paris and Director of the Centre for European Research. She is an expert on EU foreign policy, EU public policy, European integration, Justice and Home Affairs policies, international.

Sarah Wolff
Centre for European Research
Queen Mary University of London
Email: s.wolff@qmul.ac.uk



What is left of British influence in Brussels?

Tinahy Andriamasomanana and Agathe Piquet, with Sarah Wolff

Introduction

The UK's exit from the EU was completed on 1 January 2021, five years following the Brexit referendum in 2016. But the relationship between the UK and EU has been turbulent since, due to challenges surrounding the negotiations of the EU-UK Trade and Cooperation Agreement (TCA) which have questioned the ability of the UK to still influence the EU. On 12 October 2021, the [NEXTEUK project](#) together with the [EU-UK Forum](#) organised a high-level policy roundtable gathering leading policy-makers and academics to discuss whether British influence over the EU in post-Brexit times is vanishing or taking new forms and entering new venues. The roundtable tackled three main areas: (i) whether influence has evolved in the context of the new governance structures of the TCA (such as the Joint Partnership Council) (ii) to what extent is scrutiny impacted through the role of inter-parliamentary cooperation and finally (iii) whether the role of British lobbies and civil society has been transformed in Brussels and to what extent their strategies and resources have changed.

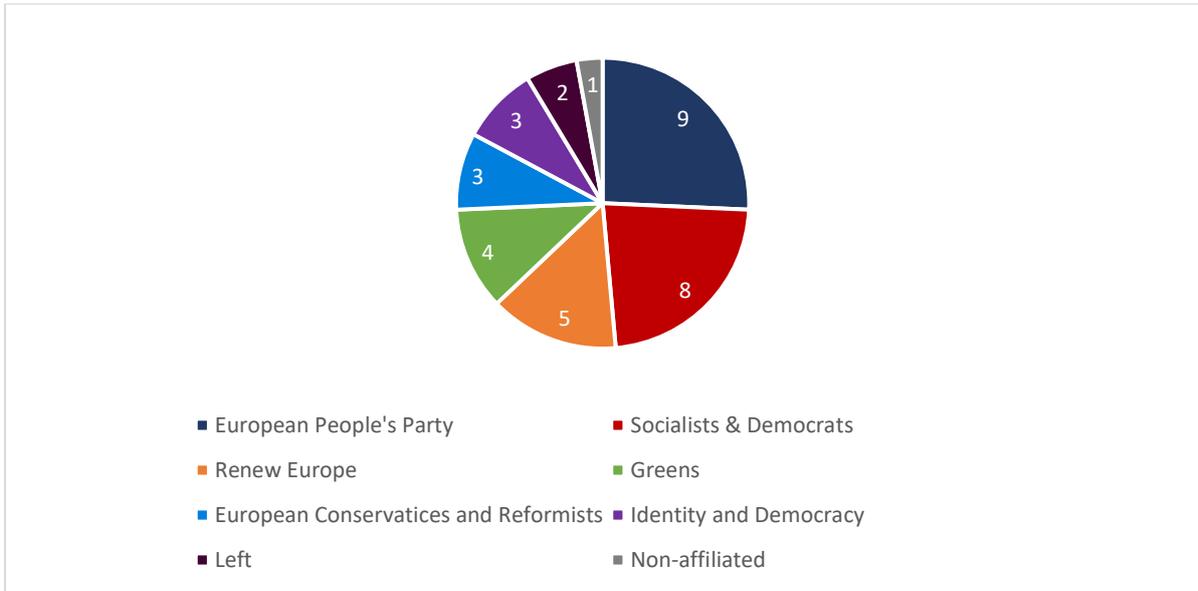
During the rich discussion three main themes have emerged: the density of formal and informal institutions, forums and networks to exchange views and ensure mutual influence; the lack of trust at the level of high politics and the highly politicized environment deteriorating the UK-EU relations; and the role that institutions could play in normalising the current situation.

A dense landscape of formal and informal institutions

Following the UK's exit from the European Union, the UK is considered to be a third country, but a third country that has special relationship to the EU. This is shown by the density of forums for UK and EU officials to meet together through new structures to exchange their ideas, work on mutual interest areas, and implement the TCA.

One of them is the EU-UK Partnership Council designed as a joint committee responsible for [overseeing the implementation and the interpretation of the TCA even amending it in cases of errors, omissions or other deficiencies](#). This Council is chaired by David Frost, UK Minister for EU Relations and former Chief Brexit Negotiator, and Maroš Šefčovič, Vice-President of the European Commission, and had its first meeting in June 2021. To support the work undertaken by the Partnership Council, 18 Specialised Committees have started to meet with EU and UK senior officials discussing the topics covered by the TCA (fisheries, intellectual property, energy, air transport, law enforcement and judicial cooperation etc.).

Another key institution is the new Parliamentary Partnership Assembly gathering 35 members of the European Parliament and 35 members of the British Parliament in charge of monitoring the implementation of the TCA and of preparing non-binding recommendations to revise the initial deal. On EU side, the composition of the representation was adopted in early October and mirrors the structure of the European Parliament with some very Anglophile members, inclined to improve the current situation (see graph 1 below as to the composition of this assembly on the EU side).



Graph 1. Composition of the EU-UK Parliamentary Partnership Assembly (EU side) by political groups (Source: <https://www.politico.eu/article/european-parliament-approves-eu-uk-brexit-assembly-cooperation-agreement>)

On the UK side, it is still very unclear who will represent the UK (if representatives will be members of the House of Commons and/or the House of Lords), how the nomination process will occur (if representatives will be chosen by Whips or be elected), what role will play frontbenchers etc. However, for the joint assembly to operate smoothly it is critical that these 35 delegates understand the added value of the UK-EU relationship and are committed to make it function properly. This way, the EU-UK Parliamentary Partnership Assembly will work as a key forum to exchange views, to deal with divergences between the UK and the EU, to raise early warnings to avoid any frictions and an escalation of tensions. Yet, it seems for the moment quite challenging for this new institution to define a common agenda, [to find an agreement on its rules of procedures as the objectives of this interparliamentary assembly are not clearly defined](#).

Following the UK's withdrawal, diplomatic structures were also created to accommodate the new legal status of the UK. The UK Permanent Representation to the EU (UKRep) has become the UK Mission to the EU (UKMis Brussels), headed by Lindsay Appleby. While it is still occupying the same building and is located at the centre of Brussels, close to the other Permanent Representations and the seats of the EU institutions, it has now evolved towards a fully-fledged third-country representation. [UKMis Brussels "ensures the UK's interests are promoted and explained to EU member States and the EU institutions"](#) and provides support to departmental structures in the UK, but it also contributes to the management of the complex relationship with the EU and guarantees that the UK works in a continued and complementary manner with EU institutions in the most important policies. On its side, [after resolving many difficulties](#), the EU has now its own diplomatic representation in London, engaging with the UK and promoting EU policies. With very few staff transfers from the European Commission's representation of London to the EU delegation, the new EU officials have been very active in introducing themselves and getting to know the British system. Such work was necessary for the first EU Ambassador to the UK, João Vale de Almeida, and his over 40 EU officials to fulfil their missions and to solve any problems faced by EU business and citizens while maintaining the communication with the UK and building new relations at all the different levels.

These formal institutions do not eclipse the many informal networks that exist between the EU and the UK to maintain dialogue and mutual influence. For instance, UK officials still meet members of the

European Parliament on a regular basis or engage with representatives of the civil society in Brussels. Similarly, UK businesses have clearly kept a foot in Brussels through the networks they have built there over decades. This was already true during the negotiations as UK businesses have kept lobbying in Brussels to be heard and to remain as close as possible to the EU (Coen, Katsaitis, 2021). Yet, the reliance of UK businesses upon informal relationship has strengthened as their access to the European Parliament and even more to the European Commission has become much more complex and difficult. However, not all representatives of civil society and interest groups are equal in this influence. Indeed, representatives of transnational sectors, that defend both the interests of the UK and the EU (E.g. confederations), rather than UK-specific sectors, are more likely to retain influence in Brussels through their relationships (Ibid.).

Formal and informal institutions have proven to be more essential than ever to restore the very damaged EU-UK relations in a context of high politicisation.

An unprecedented politicisation of UK-EU relations

Brexit has fundamentally transformed the UK's relationship with the EU, endangering the ability of the EU and the UK to talk to each other and even more to work efficiently on areas of mutual interest. Indeed, [the process of ratifying the EU-UK TCA has also been turbulent, with the EU needing more time to ratify the deal due to tensions with the UK](#). The EU-UK relationship in the post-Brexit period has also been faced with significant challenges. One with very destabilising aspects [has been the implementation of the Northern Ireland protocol](#), which is a series of special trading agreements for Northern Ireland. The EU has insisted that the main terms of the Northern Ireland protocol should remain in place, while the UK has asked for the protocol to be rewritten, and has often threatened to walk away from the protocol. In January 2021, the [European Commission triggered Article 16](#) of this protocol, which allows either party to undertake unilateral safeguarding measures if they believe that there are any serious 'economic, societal or environmental difficulties,' to safeguard the supplies of COVID-19 vaccines, which was met with considerable disagreement by the UK.

Negotiations between [the EU and the UK of the agreement concerning fisheries has also resulted in considerable tensions](#), as the EU has been pushing to maintain the EU's access rights and quotas, as [the EU's fishing communities are dependent on access to the waters around the UK](#).

The absence of a structured relationship on foreign policy cooperation within the TCA illustrates the lack of trust, and willingness to cooperate, at the level of high politics. While [the EU-UK TCA contains limited references to foreign affairs](#), the UK has rejected any institutionalised relationship with the EU in the area of foreign, security and defence policy, despite stating in the 2019 Political Declaration to '[establish structured consultation and regular thematic dialogues that could contribute to the attainment of common objectives, including in the area of foreign policy, security policy, and defence policy](#)'. Moreover, in March 2021, the UK published its [Integrated Review of Security, Defence, Development, and Foreign Policy](#), which did not mention foreign affairs with the EU.

The current state of UK-EU relations in post-Brexit times is mostly shaped by domestic politics. [Much of the UK's relationship with the EU is defined by the rhetoric of war put forth by the UK Conservative government](#). Indeed, already during the process of negotiating the EU-UK withdrawal agreement and the TCA, the UK government has been confrontational. In the negotiations concerning the Northern Ireland protocol, the EU has had to urge the UK to refrain from continuing to use [confrontational rhetoric](#). Yet, the UK government's rhetoric continues to be performative, which has negative repercussions on the future UK-EU relationship in post-Brexit times. This is due to the absence of alternative narratives in



the current political debate with Remainers not talking about the Brexit damages to avoid being called “Remoaners” while Brexiteers keep blaming the EU for every problem in the UK and do not recognize the damaging effects of Brexit.

This situation is even more problematic with the considerable [decline in the ability of the UK Parliament to scrutinise and follow policy developments within the EU](#). Such decreased influence has become strikingly apparent since the dissolution of key Brexit institutions within the UK. The Department for exiting the United Kingdom was dissolved in January 2021. This same month, the Committee on the Future Relationship with the EU, a Select Committee of the British House of Commons which examined matters relating to the UK’s relationship with the EU, following Brexit, was disbanded. [In addition to the very limited resources left to British MPs to scrutinize the relation to the EU](#), the lack of transparency and of respect of due processes by the UK government and the lack of effectiveness of procedures mean that the UK position is almost exclusively driven by the government without counterbalancing of the opinions.

Domestic politics within EU Member States also contribute to the ongoing situation. [Tensions have been strong between the UK and France over fishing licences](#), the AUKUS crisis and migrants in Calais. The 2022 French presidential elections could exacerbate the rhetoric of war used by each side as Emmanuel Macron will probably not miss out any breach to the TCA to establish his political authority as an electoral argument. Therefore, UK-EU relations are likely to be complicated by the upcoming French Council presidency from 1 January to 30 June 2022.

In this very deteriorated climate, with the accumulation of tensions leading to a “Brexit fatigue” and with trust being damaged for so long, any minor mistake from one side has huge consequences and reactivates the feeling of being at war. While this strong politicisation could be very demanding for institutions, they seem to be at least part of the solution.

Restoring faith and trust, task impossible?

Institutions are deeply impacted by the damaged EU-UK relation. This is true for the future Parliamentary Partnership Assembly which will be largely dependent upon the political climate. This is also the case for UK civil society and interest groups which have had to rely more heavily on networks, rather than on formal institutions, to maintain their influence in Brussels. This is largely due to the lack of trust at the level of high politics, forcing these actors to operate with the EU behind closed doors, away from the toxicity of the political environment. For instance, UK businesses have kept exchanging views with the EU and when convinced by an idea offered by the EU they often introduce it to UK government as one of theirs to ensure the suggestion will at least be considered and not be directly discarded because it wears the “EU tag”.

However, the dense landscape of the above-mentioned institutions could help to appease and normalise the EU-UK relations and ensure mutual influence. Despite the high level of conflict and distrust between the EU and the UK at the political level, the willingness to cooperate at the bureaucratic and operational level is clear. This is due to the trust, habits of cooperation, and normative desires to maintain the EU-UK relation and to make these structures work expressed by EU and UK officials while they are lacking at the level of high politics. In that sense, the socialisation of street-level bureaucrats through informal and formal institutions has proven to be resilient and with a sense of pragmatism when facing the bumpy process of Brexit.

Formal institutions force officials to meet, to sit together, to discuss and in that way they could help resolving problems. For instance, a strong will was made clear by EU and UK representatives to have a



more structured cooperation in respect to foreign policy, [but no formal institution has been created in this domain as the UK refuses any cooperation with the EU](#). Yet, having representatives in the same room could have helped with the [recent AUKUS situation](#). However, while this example shows how important formal institutions are to preserve EU-UK relations, they also give an image of permanence and stability that is misleading. For example, since January 2021, regular meetings between UK and EU counterparts have not taken place as frequently, which has had a negative impact on UK-EU relations. Institutionalised venues to meet at all levels should remain to ensure that UK and EU relations continue to progress, following the UK's withdrawal from the EU, but informal forums are as critical to ensure a smooth dialogue and cooperation at all levels to go over the deteriorated political climate. This applies to UK businesses still meeting with their EU counterparts but also with EU officials due to their mutual interest to exchange views and to find common solutions. More recent initiatives have also been taken between UK and EU regions to create dialogue, among others things about higher education. Similarly, while UK officials are very committed to maintain a direct channel of communication with the members of the European Parliament, British Parliamentarians could engage more actively with their national homologues to protect their historical ties from extreme politicisation.

The gap between the lack of trust at the level of high politics in comparison to the level of low politics has become blatant during the last months due to an unprecedented politicisation of the UK-EU relations. The continued confrontational rhetoric put forth by the UK government and by some EU actors creates strong uncertainties and damages the chances of the UK to keep influencing the EU. Institutions play a key role in restoring trust and faith as they gather officials from both side willing to work together, whether they are formal or informal venues. They still remain partly fragile and although they have been resilient so far they could be endangered by a further degradation of the political climate. Therefore, it appears that in order for EU and UK relations to be more productive in post-Brexit times, conflict at the level of 'high' politics need to be resolved. This could depend upon many different factors. One could be future events bringing closer the EU and the UK, such as major turbulences on the international stage leading the EU and the UK to cooperate and to normalise their relation. Another one is domestic politics and political parties, with potential upcoming transformations of the Conservatives' stance in respect to the EU: while many Conservatives took strong positions against the EU to get elected, most of them are not so ideological about Brexit and could prove to be less intransigent in the next years.

Bibliography

- Adler, K. (2021). 'Far more than fish: Risks of rising EU-UK tensions' *BBC News*. <https://www.bbc.co.uk/news/world-europe-59115496> Accessed 29 October 2021 Accessed 1 November 2021
- Coen, D., and Katsaitis A.. 'Lobbying Brexit Negotiations: Who Lobbies Michel Barnier' *Politics and Governance*, Vol. 9(1): 37-47.
- Hadfield, A., and Wright, N. (2021). 'Fog in Channel? The impact of Brexit on EU and UK Foreign Affairs' *European Union Institute for Security Studies*. <https://www.iss.europa.eu/content/fog-channel-impact-brexit-eu-and-uk-foreign-affairs> Accessed 1 November 2021
- Lehne, S. (2021). 'Rivals or Partners? The EU-UK Foreign Policy Relationship after Brexit' *Carnegie Europe*. <https://carnegieeurope.eu/2021/03/30/rivals-or-partners-eu-uk-foreign-policy-relationship-after-brexit-pub-84197> Accessed 28 October 2021
- Moens, B. (2020). 'EU, UK fishing in troubled waters in Brexit talks' *Politico*. <https://www.politico.eu/article/eu-uk-fishing-in-troubled-waters-in-brexit-talks/> Accessed 29 October 2021
- O'Carroll, L. (2021). 'EU urges UK to drop rhetoric in Northern Ireland Brexit row' *The Guardian*. <https://www.theguardian.com/politics/2021/oct/07/eu-urges-uk-drop-rhetoric-northern-ireland-brexit-row> Accessed 1 November 2021
- Quinn, B. and Carroll, R. (2021). 'EU to seek more time to ratify Brexit trade deal amid tensions with UK' *The Guardian*. <https://www.theguardian.com/politics/2021/feb/09/eu-to-seek-more-time-to-ratify-brexit-trade-deal-amid-tensions-with-uk> Accessed 1 November 2021
- Russell, M. (2020). 'Brexit and Parliament: The Anatomy of a Perfect Storm' *Parliamentary Affairs*, Vol. 74(2): 443-463.
- Sargeant, J. (2021). 'The article 16 vaccine row is over – but the damage has been done' *Institute for Government*. <https://www.instituteforgovernment.org.uk/blog/article-16-vaccine-row> Accessed 1 November 2021
- Whitman, R. G. (2021). 'EU-UK relations: Time for a 'new normal' post-Brexit' *Chatham House*. <https://www.chathamhouse.org/2021/01/eu-uk-relations-time-new-normal-post-brexit> Accessed 29 October 2021

NEXTEUK
Centre for European Research
Queen Mary University of London
Tel: +44 (0)20 7882 8600
email: cer@qmul.ac.uk

qmul.ac.uk/nexteuk

If you require this publication in a different accessible format we will endeavour to provide this, where possible. For further information and assistance, please contact: designandbranding@qmul.ac.uk
