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Working with Europe and the EU

– A New Context

Practitioner Training for UK Civil Servants

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Working with Europe and the EU – A New Context

10-12 March 2025

Day 2

How does the framework of UK-EU relations work?

- **Non-Trade elements**

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Trade and Cooperation Agreement: Overview

- Part 1: Common and Institutional Provisions
- Part 2: Trade
- **Part 3: Law and Enforcement and Judicial Cooperation in Criminal Matters**
- **Part 4: Thematic Cooperation**
- **Part 5: Participation in Union Programmes**
- Part 6: Dispute Settlement and Horizontal Provisions
- Part 7: Final Provisions

+ Annexes



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Law Enforcement and Judicial Cooperation

- Overall, more extensive cooperation than any other EU relationship outside Schengen
 - Exchanges of operational information, Passenger Name Records, Prüm data (fingerprints, DNA & car registration data)
 - Freezing & confiscating criminal assets
 - Cooperation with Europol and Eurojust
 - Extradition facilitation
 - Exchange of criminal records
 - Cooperation on anti-money laundering



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Law Enforcement and Judicial Cooperation

- However, still significant lessening of cooperation, coordination and influence compared to membership
 - No management role in Europol and Eurojust
 - Loss of access to Schengen Information System
 - Loss of European Arrest Warrant
 - Blocked accession to Lugano Convention (on jurisdictional disputes)
 - Cross-linkage with EU's data protection and data adequacy standards (due for review by June 2025)



Thematic cooperation

- Health security
 - UK access to EU's Early Warning & Response System
 - Cooperation of UK Health Security Agency and European Centre for Disease Prevention and Control
 - Action on SARS-CoV2, Mpox and Polio
- Cyber security
 - Option to involve UK in work of EU Agency for Cybersecurity (ENISA)



Participation in EU Programmes

- Horizon Europe & Copernicus
 - Negotiations re-activated post-Windsor
 - UK membership from 2024, after resolution of budget issues
 - UK regains previous access to funds and networks, but not decision-making on programmes
- EU not obliged to allow participation



A border interlude

- What are borders for?



UK-EU borders



Beyond the TCA

- Security cooperation
 - Not included in TCA at UK request
 - Ukraine as a major stimulus to subsequent work
 - UK participation from 2022 in PESCO project Military Mobility (with US, Canada & Norway)
 - Ad hoc cooperation on support for Ukraine, including procurement coordination
 - Increased senior government exchange under current government

Key area for the 'reset'?

- Opportunities
 - Clear interest by both parties in more cooperation beyond trade
 - Proof of concept in rollout of Horizon participation
 - External pressures to drive cooperation
- Challenges
 - Protectionist turns in various states
 - Participation in EU work will be without decision-making powers for UK
 - Broadening agenda of work risks more cases of cross-blockage



Key points

- Lots of potential, but not so much development (yet)
- Cross-linkage is both an opportunity and a challenge
- Limits to foreseeing what's needed means constant engagement is required

