

Foreword to [Federico Fabbrini \(ed\), "The Law & Politics of Brexit. Volume 3: The Framework of New EU-UK Relationships" \(Oxford University Press 2021\)](#)

THE NEW FRAMEWORK OF EU-UK RELATIONS

**Preface by David Maria Sassoli
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Christmas eve 2020, I had already sent a Christmas farewell message to all staff wishing them a good break. Then in the early afternoon, I was informed that the EU and the UK had managed to reach an agreement on their future, following 11 months of intense negotiations with no real certainty as to whether they would result in a deal. Whilst I was relieved that we had avoided the worst and prevented major disruption to citizens and businesses, the last minute nature of the agreement did not lend itself to proper parliamentary scrutiny before the end of the year.

Many aspects of this negotiation were unique. It was the first time an EU Member State had chosen to leave the European Union and negotiations had to be completed in one year, in the midst of a global pandemic, or risk the UK crashing out without a deal. On top of this, normally international trade negotiations involve parties wanting to come closer together, not move further apart. As Prime Minister Johnson made clear, the point of Brexit is to diverge, so we were negotiating a divorce, not arranging a marriage.

All international agreements must be transparent and open to proper democratic scrutiny. As President of the European Parliament, I pushed hard to ensure that Parliament was both actively involved in the process of the negotiations and had the time to scrutinise properly an agreement that ran to well over one thousand pages. The Parliament's coordination team met regularly for in depth sessions with the EU's excellent Chief Negotiator Michel Barnier, before and after each negotiation round, in order to ensure our concerns were taken into account and so that we could shape the final outcome. Our guiding principles throughout were to secure the best deal possible for EU citizens and prevent a hard border on the island of Ireland.

Many of the European Parliament's key objectives are found both in the Trade and Cooperation Agreement and the Withdrawal Agreement. Ensuring a level playing field for European businesses, including on state aid, social and environmental standards, a fair settlement on fisheries, and a new framework for justice, police and internal security cooperation, were all points stressed strongly by the European Parliament. These go hand-in-hand with the strong trade component, with zero tariffs and zero quotas, which will help mitigate many of the negative economic consequences of Brexit.

Despite these achievements, some parts of the agreement are limited in scope due to the UK's reluctance to include them, such as cooperation on foreign, defence and external security policy. A major regret for the Parliament is the decision by the UK to no longer participate in the Erasmus+ university exchange programme, depriving young people in both the EU and the UK of a valuable opportunity.

With an agreement reached on December 24th, clearly the Parliament was not going to be able to properly scrutinise the agreement and vote on it in the few days that remained of 2020! One of the most far reaching and complex EU agreements needed to be examined in detail by the elected representatives, particularly as the European Parliament was the only EU parliament that would be required to ratify the text. The text contained a provision whereby it could be provisionally applied until the end of February. However, the extra eight weeks were not sufficient to allow the text to be translated and legally verified in all of the EU's 24 official languages including Irish. The EU therefore requested an additional two months for the ratification procedure which the UK granted, meaning until the end of April 2021.

What is clear is that the first few months of 2021 have not been straightforward as the reality of being outside of the European Union hit home. Moving from abstract concepts of taking back control to the real life experiences for citizens and businesses have shone a light on what it means to be a third country which can never have the same rights and benefits as an EU Member State. The seamless flow of people and goods between the EU and the UK is now part of our history.

The European Parliament has always attached great importance to the full and faithful implementation of the Withdrawal Agreement as a guarantor of peace on the island of Ireland. *Pacta sunt servanda* - agreements must be kept. The European Parliament will continue to monitor the agreement and ensure that the UK government is living up to its commitments.

Despite the UK's decision to leave our Union, we still share deep and longstanding ties, values, history and geographical proximity. It is important that we make this new relationship work. The European Parliament has always been supportive of establishing a Parliamentary Partnership Assembly for Members of the European and UK Parliaments, as foreseen by the Agreement. Parliaments can often bring a different perspective than governments and I hope this assembly can help foster good relations and promote our common interests. It will also have an important role to play in monitoring the full and proper implementation of the Agreement and making recommendations to the main governing body, the Partnership Council.

Finally, I would like to commend the work of Professor Federico Fabbrini, the Brexit Institute and other expert commentators, for the valuable role they fulfil in analysing and bringing to our attention the many facets of this agreement. The need for informed opinion is as great today as it ever has been to guide us through this new phase of the EU-UK relationship.

On a personal note, whilst respecting the UK's decision to leave the European Union, I am nonetheless saddened that things came to this point. That a longstanding Member of the European Union has chosen to take a different path, one separate from the rest of us. Of course, we will continue to work together as friends and allies, albeit in a different way, to further our common interests and protect the values we continue to share.