

Going Back: What Britain should do to join the European Union

Andrew Duff



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Executive summary

In the UK, disillusionment with Brexit has set in. The limitations of Boris Johnson's Trade and Cooperation Agreement are evident. But Labour's Keir Starmer, the likely winner of the general election, has only modest ambitions for Britain's relationship with the EU. Andrew Duff suggests that Labour should be much bolder by adopting a phased approach back to full membership.

He proposes an early initiative to forge a new customs union with the EU, followed by an association agreement with the single market, and a treaty of political cooperation in security and defence. A new category of affiliate membership could be a useful stepping stone towards becoming a full member state.

The state of play

Keir Starmer, Britain's most likely next Prime Minister, tells us that under his government the UK will not rejoin the European Union. Nor will he seek to re-enter the EU's customs union or internal market. But he will endeavour to "make Brexit work" better than the Tories have done. In an interview with the *Financial Times*, he acknowledged that "almost everyone recognises the deal Johnson struck is not a good deal — it's far too thin. ... I do think we can have a much closer trading relationship. ... I think there's more that can be achieved across the board".¹

The Labour party seems to be resting its hopes on undertaking a review of Boris Johnson's Trade and Cooperation Agreement of 2020, Article 776 of which says:

"The Parties shall jointly review the implementation of this Agreement and supplementing agreements and any matters related thereto five years after the entry into force of this Agreement and every five years thereafter."

Whatever Starmer may want, however, must be negotiated and agreed jointly with the European Union institutions. As far as the EU is concerned, the purpose of the review, scheduled to start in 2026, will be about improving ways to implement the TCA and not about its revision. Additional agreements may be negotiated in areas not covered by the TCA, but this will require the UK to have a very clear idea of what it wants, and for the Commission to seek and be granted a new mandate from the EU Council, before negotiations can begin.

One problem for Starmer is that Brussels has lost its appetite for negotiating with the British.

Weighing up the problem

Nothing about Brexit has been quick, simple or straightforward. The TCA treaty consists of 782 articles plus thousands of pages of protocols, declarations and technical annexes.⁴ Furthermore, the TCA comes on top of the Withdrawal Agreement of 2019, itself with 185 articles and three protocols — including the controversial Northern Ireland Protocol which leaves the province partly within the EU regime. The diplomatic exercise to extricate the UK from

One problem for Starmer is that Brussels has lost its appetite for negotiating with the British. Other more pressing issues are crowding the EU's agenda, not least how to balance the next round of enlargement with the inescapable need for internal reform. The UK has faded from view. The EU has not been retrospective about why or how Brexit was allowed to happen. If blame is to be cast, Brexit was Britain's fault. The loss of the UK as a member state is regretted, but not exactly mourned.

The Commission produces annual reports on the state of play post-Brexit in which it struggles to trace the shifting sands of British European policy.² The conclusions of its latest report are worth noting:

"The TCA is a very good agreement for the EU: It addresses the EU's interests in terms of trade and cooperation with the United Kingdom. At the same time, the agreement fully reflects the political red lines the EU and Member States established jointly in the wake of the United Kingdom's decision to withdraw from the Union. ...

"Overall, the TCA functions well. ... While being one of the most ambitious and comprehensive agreements of its kind, the TCA is conceptually very different from participation in the Union's single market and the Customs Union. After two years of the application of the TCA, the impact of unravelling deep economic integration provided by the single market, the Customs Union and other flanking policies became more apparent."

The European Parliament follows up on the Commission's reports, identifying numerous areas of actual or impending divergence between the UK and EU. It takes a basically favourable view of the TCA which, it says, "limits the negative consequences" of Brexit.³ MEPs do not demur from the Commission's opinion that radical revision of the TCA is not contemplated, but they assert their right to be closely involved in any review as and when it comes.

the rights and obligations of EU membership, including triggering Article 50 TEU and the transition period, lasted six and a half years after the June 2016 referendum. The Windsor Framework of February 2023 that purportedly smooths the implementation of the Northern Ireland Protocol took another two years to negotiate (and is not yet fully operational). The TCA itself is not a stable settlement, with several provisions that are only temporary. The clearinghouse exemption

for the City of London, for example, expires in June 2025 and will require renegotiation.

Several legally binding decisions taken to fill the vacuum left by Brexit have still not been implemented, largely because the British state lacks the administrative capacity to act efficiently. For example, having left the Customs Union, the UK is still unable to impose import checks at all its border points.⁵ Indeed, if there is scope for improvement in the way the TCA is being implemented, much relies on unilateral action by the British government in Whitehall, but its poorly resourced agencies and regulatory authorities are scrambling to cope with new duties taken over from the European Commission. The pressure on the Competition and Markets Authority, the Food Standards Agency or the Office for Environmental Protection, for instance, is intense.

Experience of Brexit in practice has shattered many illusions about the balance of advantage between Britain and continental Europe.

At Westminster, Parliament has spent a long time, amid much rancour, in devising mind-numbing primary legislation and statutory instruments that aim to compensate for the demolition of the highly integrated legal relationship that the UK had built with the EU over the previous half-century. This enormous effort in “taking back control”, punctuated by excursions to the

If Labour takes over

No corner of British life has been left wholly untroubled by Brexit. And while the Conservative party continues its civil war over Europe, the consequences for Labour should not be underestimated. Labour was officially a majority Remain party, but under Jeremy Corbyn, it failed to play a positive role in the referendum campaign. Its opposition to the official Brexit process was hamstrung by its unwillingness to disrespect the outcome of the popular vote. Labour refused to help Theresa May secure an association agreement with the EU that would have retained membership of the customs union and single market. Indeed, it was Keir Starmer himself who led Labour’s somewhat foolhardy campaign for a second referendum. Only latterly, after its disastrous defeat at the 2019 general election, has Labour’s leadership become more strategic. Shadow ministers have tried to identify elements of the TCA for review when the possibility arises, but there has been no

Supreme Court, climaxed in the oxymoronic Retained EU Law (Revocation and Reform) Act 2023, which leaves Conservative ministers, MPs, peers and officials wallowing in exhausted confusion.⁶

Experience of Brexit in practice has shattered many illusions about the balance of advantage between Britain and continental Europe. Britain outside the EU ecosystem proves to be too weak to influence how trading standards are set, certified and enforced. Not least among the contradictions of Brexit is that British exporters wishing to sell goods into the EU must conform in any case to the European standards which the London politicians have sought to evade. Having left the EU’s Customs Union, British businesses face rules of origin complications that impair the unfettered free trade in goods which the TCA promised. Rules of origin are proving to be a particular hurdle in new technologies, such as e-vehicles, where supply chains are long and sources are global. The much-vaunted level playing field, a focus of the Article 50 withdrawal negotiations, is not assured by the mere mutual recognition of standards but requires from the UK dynamic alignment with the EU’s *acquis communautaire* as it evolves.

All in all, it is hardly a surprise that Brexit, by erecting barriers to trade, has left the UK much poorer. The scale of the damage has been obscured by the coincidental pandemic, but in all indices the size of the UK economy has shrunk since 2016. Even the government’s own Office for Budgetary Responsibility forecasts that long-run productivity will fall by 4% and volumes of trade by 15%.⁷ John Springford’s doppelgänger model for the Centre for European Reform reckons a 5% cut in GDP following the fall in the value of the pound and the drop in investment and trade.

comprehensive catalogue of what a Labour government would do. The party’s 2024 election manifesto will not risk bold policies on Europe.

A Labour government should prepare to make more of the joint governance structures of the TCA under the oversight of the ministerial Partnership Council. The EU-UK Parliamentary Partnership Assembly, which meets twice a year to discuss specific areas of joint concern, could become more active in quizzing Commissioners and UK ministers. In the search for greater convergence, priorities appear to include easement of labour mobility for short-term workers (such as musicians), and re-entry to the Erasmus + scheme for students. The TCA also allows for greater collaboration in the energy sector. Such desirable adjustments could be managed by the Partnership Council.

Nonetheless the resolution of most other problems — such as the adoption of EU sanitary and phytosanitary (SPS) veterinary rules — will require supplementary agreements to the TCA. Numerous areas of possible deeper convergence under Labour will mean complex, detailed and probably protracted negotiations. These include the mutual recognition of conformity assessments or professional standards, the linking of the British carbon emission trading scheme to the EU's ETS (evading the EU's new Carbon Border Adjustment Mechanism), and harmonisation in the newly regulated sectors of digital agenda or Artificial Intelligence.

A high priority for any British government is to curb irregular immigration. Brexit cut off the UK from the EU's asylum and immigration system. Latterly, the Tory government has struck a technical agreement with Frontex (23 February) — described by Home Secretary James Cleverly as a “landmark working arrangement”. But full British access to the EU's Eurodac system to monitor migrants will require a political initiative by an incoming Labour government willing to accept the judicial oversight of the European Court of Justice.

Needless to say, among the commentariat there is already much speculation, even a cottage industry, about what Labour will do in government.⁸ What emerges is a confused number of options and a variety of timetables. Business lobbies and NGOs on both sides of the Channel will heavily scrutinise Labour's review of the post-Brexit relationship. UK industry and commerce have now found a voice that largely eluded them before and after the referendum, and they will no longer suffer in silence if meddling ministers and officials do further damage. Many of the most ardent Brexiteers, for example, in farming and fisheries, now realise that the TCA works

Customs Union

Having tinkered as best as possible with the TCA, the next obvious step would be for the UK to seek a new customs union agreement with the EU. This would not be to rejoin the Customs Union it had left in 2021 but to forge a novel bilateral deal with the EU aimed at facilitation of trade in goods by reducing all tiresome barriers — notably those pertaining to rules of origin.¹¹ A new EU-UK customs agreement is necessary to reduce the costs of trade. Under WTO rules, the customs union would oblige the UK to steadily realign the substance of its third-country trade agreements with EU commercial policy. The Labour government would abandon the Tories' post-Brexit trade deals and avoid the pursuit of marginal free trade agreements with geographically distant countries. In truth, this is not much of a sacrifice.

These Tory treaties have been meagre at best in terms of growth and controversial at worst — not least in threatening British farming with a flood of Australian meat products.¹² Having completed separate free trade deals with Australia, New Zealand, Japan, and

better for the EU than for the UK. Regional and local government, severed from their European connections, are more outspoken by the day. The Mayor of London, Sadiq Khan, has led the charge.⁹ Britain's universities have already lobbied hard for the UK to rejoin, belatedly, the EU's research community, Horizon.

The debate about what Britain should do next will be informed by scrutiny of how the EU's other neighbours have managed to associate themselves with EU customs and Single Market norms despite remaining outside the Union. Switzerland has negotiated successful mutual recognition agreements over professional qualifications and industrial conformity assessments. Norway, Iceland and Liechtenstein negotiated the European Economic Area agreement with the EU in the early 1990s. The EEA continues to evolve: Norway, for example, has joined the EU's ETS.¹⁰ But the EEA accepts in full the EU's regulatory authority, and even Switzerland, which has had a rocky relationship with Brussels, seems to be on the point of a new framework agreement with the EU that recognises, at last, the judicial authority of the European Court of Justice.

Labour's path to a closer and more productive relationship with the EU is unlikely to be entirely smooth. The limitations of what can be achieved under the terms and within the compass of the TCA review will be quickly understood. But what happens thereafter will depend on a strategy that is persuasive both for the British electorate and for the EU institutions and member states. The new government would be wise to work out, as early as possible, a step-by-step approach, evolving from customs union, through association agreement and security cooperation, via affiliate membership to full accession. I deal with each of these stages in turn.

the Comprehensive and Progressive Agreement for a Trans-Pacific Partnership (CPTPP), there are very few states left with which the UK can hope to strike more such agreements.¹³ The US will not offer the British a privileged trade partnership whoever wins the presidential election in November. India is dragging its feet, presumably on purpose. Trade talks with Canada have been aborted. The EU, meanwhile, continues to be by far the UK's largest trade partner. A recent report suggests that over 53% of all UK trade is with the EU.¹⁴

Having tinkered as best as possible with the TCA, the next obvious step would be for the UK to seek a new customs union agreement with the EU.

A return to freedom of movement of goods with the EU would be an early gain for the new government and would, from the EU's perspective, be straightforward to agree. On receipt of an application to secure a customs union agreement, the Commission goes to the Council for a negotiating mandate. On a favourable proposal from the Commission, and after receiving the consent of the European Parliament, the Council concludes the deal. The Council acts by qualified majority vote (QMV) throughout.¹⁵

The EU will be certain to welcome a British customs union agreement that increases the EU's clout in world trade politics as well as anchoring the level playing field provisions. Goods to and from the UK and the EU would be treated like domestic goods for the purpose of taxation and regulation. Border controls and formalities would be simplified, and all quantitative restrictions prohibited. A customs union would be popular with exporters on both sides of the Channel. A UK-wide customs union would be of special benefit to traders in Northern Ireland.

Association Agreement

Trade in goods, however, is self-evidently already much less important to the UK economy than trade in services. Gaining full access to the EU internal market in services would oblige the UK to accept the whole gamut of freedom of movement of workers, liberalisation of the right of establishment, freedom to provide services and free movement of capital.¹⁸ Adherence to the principle of the four freedoms that underpin the internal market would steadily involve the UK in the flanking policies that have been developed over decades to enrich the internal market. Freedom of movement, for example, implies a common approach to employment law. In some areas, such as science research and technological development, Starmer has already indicated eagerness to engage. There is a strong case for the UK to conform with EU norms in matters of public health and consumer protection. It is already clear that the decision of Brexit Britain to exclude itself from the European Medicine Agency, once headquartered at Canary Wharf, has increased costs and disrupted supplies of drugs to the NHS.

Taking the Labour leader at his word, a decision to join the EU's internal market would seem to be a matter reserved for a second term in government. It would be sensible, however, for Starmer to build on the early customs union agreement by announcing a programmed, phased approach for Great Britain to join Northern Ireland within the European single market. He would need to spell out the benefits to the whole United Kingdom of the free movement of persons, services and capital across Europe, alerting the British people to the fact that economic growth relies on European integration. A campaign on this basis, long overdue, would normalise the European debate, allowing the nation to leave behind the psychodrama of Brexit. It would bring the UK up to speed with the reality of the pace and scope of EU common policies.

An early initiative by the Starmer government requesting a customs agreement would remind the EU of Britain's continued existence. Negotiations on a customs union would inject momentum into the relationship between London and Brussels and bolster mutual political trust, much depleted since Brexit. The customs union treaty could be accomplished well within Starmer's first five-year term at Number Ten.

And there would be spillover effects. Liberalisation of the TCA's restrictive rules on cabotage, for example, would follow logically on the back of a customs union agreement to lower the costs of the carriage of goods. Other measures of harmonisation in transport policy might be included.¹⁶ Closer cooperation in customs matters should soon open the door to further convergence in competition policy, state aid and taxation, encouraging the UK to approximate its national legislation with that of the EU.¹⁷

Gaining full access to the EU internal market in services would oblige the UK to accept the whole gamut of freedom of movement.

Negotiating the Single Market deal would revive fears in some EU quarters, prominent during the Article 50 process, that Britain was trying to 'cherry pick' the best fruits of European integration without bearing its true costs or respecting EU rules. The single market deal would take the form of an EU Association Agreement, to be decided by the Council acting unanimously.¹⁹ Starmer and his ministers would need to argue persuasively that the UK inside the single market would contribute to the overall productivity of the European economy and stimulate investment. Some EU member states may need convincing that the UK can honour to the letter its financial and legal commitments to the Union.

At this stage, Britain need not sign up to the Common Agricultural Policy or Economic and Monetary Union or the full panoply of EU policy in justice and home affairs. Such an Association Agreement would not predetermine or pre-empt a future decision to apply for full membership, although it would ease accession in the years ahead should a bid be made.

Political cooperation

All of Europe, not least Ukraine, will expect the UK on its way back to Europe to be willing to bolster the EU's common foreign and security policy (CFSP). Delivering on a pledge to collaborate more tightly with EU partners in foreign affairs — especially with France as a fellow nuclear power and Permanent Member of the UN Security Council — would be a welcome advance on the UK's approach to CFSP when previously a member state. Paris will want Britain to accept that the conference of the European Political Community shall be run under EU auspices, providing a useful platform on which the EU can assert its strategic autonomy.

A delicate new treaty of political and security cooperation will be needed before the UK can engage systematically with the EU's rising defence effort.

In the context of the Russian threat to NATO, Labour has indicated fondness for a defence pact with the EU. Shadow foreign secretary David Lammy told the Munich

Security Conference (18 February), "It's absolutely fundamental that the United Kingdom and Europe have the closest of relationships and the Brexit era is over, the situation is settled". But blithe words won't hack it. A delicate new treaty of political and security cooperation will be needed before the UK can engage systematically with the EU's rising defence effort.

That treaty will need to cover armaments' procurement, industrial participation in the European Defence Agency, financial contributions to the European Defence Fund, institutional engagement in the Political and Security Committee, legal commitment to solidarity with EU member states, security protocols about the sharing of intelligence, and watertight arrangements of command and control for joint UK-EU military operations. To help Ukraine, the UK should also sign up to the EU's European Peace Facility. These options were available to the UK during the Brexit negotiations but were rejected by Johnson. Their resurrection under Starmer is probable. The security partnership will become an intensified priority if Donald Trump is returned to the White House at the US elections in November 2024. Britain can be key to the process of drawing the EU and NATO closer together.

Affiliate membership

I have argued elsewhere that it is time for the EU to invent a new form of affiliation with other states in order to cater more ably for the demands of an increasingly complicated wider Europe. Aiming to build on its association agreement with the EU and bolstered by political cooperation, the UK could then seek formal affiliate membership of the Union. Such a category of membership would need to be installed in the EU treaties at the time of their next revision.²⁰

Affiliate membership can be grounded on adherence to five key principles found in the Treaty on European Union: Article 2 on values, Article 4(3) on sincere cooperation, Article 6 on the Charter of Fundamental Rights, Article 8 on developing a special relationship among good neighbours, and Article 21 on international solidarity. Affiliate states should demand limited voting rights in the Council (not a veto) on EU legislation intended to apply to them. On this basis, the EU would fashion terms and conditions with individual affiliates. Norway and Iceland, for example, may seize the opportunity provided by affiliate status to significantly upgrade their association agreements.

The addition of a new class of partial membership would multiply the tools available to the EU in its dealings with neighbours.

The addition of a new class of partial membership would multiply the tools available to the EU in its dealings with neighbours and permit it to develop genuinely privileged partnerships with like-minded European countries which, for one reason or another, are not able or willing to become full member states. Affiliate membership that allowed some participation in the democratic life of the EU institutions might well be attractive for a British government uncertain of its European vocation or unable to corral the necessary degree of public support to press forward to full accession. A period of familiarisation between the British public and the

EU institutions might pay dividends in dispelling the suspicion and hostility towards ‘Brussels’ that was widespread during the UK’s earlier botched membership. Affiliation might also helpfully implant British lawyers at the European Court of Justice in Luxembourg.

The introduction of affiliate membership would encourage not only Britain but other countries to converge on EU institutions, norms and goals. Ukraine might use partial membership as a staging post in its transition to full membership. Already its accession bid is obliging the EU to revise its enlargement policy and procedures. In some ways, Ukraine is way ahead of the UK

in convergence with EU norms. Its Association Agreement of 2014 puts Ukraine on track towards a deep and comprehensive free trade area. In December 2023, the European Council accepted Ukraine as an accession state.

At any rate, it is to be hoped that both Ukraine and the UK will want to play an active part as observers in the Convention that will be called to amend the EU treaties and improve EU governance. It is not in their national interest that the EU should stagnate and be unable to evolve into a powerful democratic federal union. There would be no point in seeking to join an EU that does not work well and risks disintegration.

What if?

Healing the wound of Brexit will require not only a welcoming pull from Brussels but also a decisive push from London. We have suggested how the UK could put the relationship on a much closer and more stable trajectory than the current Trade and Cooperation Agreement by initiating accords on the customs union, internal market and political cooperation. This strategy would reverse the current trend just to drift apart from Europe: it would certainly close the widening gap between Great Britain and Northern Ireland.

Keir Starmer insists that under his premiership, the UK will not ‘rejoin’ the European Union. But what if, as Prime Minister, he changes his mind? He may well realise that tampering with Boris Johnson’s post-Brexit arrangements is costly, time consuming, and renders only minimal reward. Britain’s efforts to negotiate partial accession to the Single Market may turn out to be sticky and protracted. Eventually, after all, it might be better to go fully back to Europe — including the single currency and “ever closer union” — claiming a British seat at the Union’s top table and securing the long-term cohesion and stability of the United Kingdom in the process. Applying for full membership may suddenly seem both expeditious and strategic.

Applying for full membership may suddenly seem both expeditious and strategic.

Opinion polls suggest accelerating disenchantment with Brexit even among former Leavers. A recent YouGov poll discovered 51% in favour of ‘rejoining the EU’.²¹ If that trend continues the Labour leadership will surely be encouraged to be bolder. One may presume that by the time of the next general election in 2029, the other political parties — Liberal Democrats, Scottish and Welsh Nationalists, and Greens, as well as Sinn Fein and the Alliance Party in Northern Ireland — will be satisfied with the idea of UK membership of a more federal Europe. The House of Lords could also be coaxed into being broadly supportive.

Accession

As and when the UK files its accession application under Article 49 TEU, the Commission will begin a screening process to assess Britain’s suitability as a member state. Among the issues raised by the Commission are certain to be queries about the democratic legitimacy of British institutions, including the House of Lords, and the UK government’s trustworthiness when it comes to international law (especially the ECHR).

A major preoccupation of the EU institutions and its member states will be to ensure that a British turnaround towards Europe has bipartisan support at Westminster and the regional parliaments in Belfast, Cardiff and Edinburgh. One doubts the Commission would avoid remarking on how electoral reform of the House of Commons to introduce proportional representation could induce a cross-party approach to

Europe. The rest of Europe will be looking for signs of a British constitutional settlement on EU membership that is entrenched and permanent. UK accession to the EU will need to be a confident and durable *renversement des alliances*: Article 50 should never be used again (at least as far as Britain is concerned).

Much attention will be paid by the Commission and Council to the compatibility of the UK's economic model with the predominantly social democratic character of continental Europe. 'Singapore on Thames' will not be welcomed as an EU member state.

One recalls that Article 49 requires the unanimous agreement of all member states plus the endorsement of each national parliament. The threat of ratification referendums looms large, including in France. Individual member states will bring their own gripes with Britain to the negotiating table — for example, Spain on Gibraltar, Cyprus on the sovereign bases, Ireland on Northern Ireland, and Greece on those Marbles. France, the key player, will doubtless insist that the UK subscribes fully to the EU's asylum and immigration system.

It is almost certain that the UK will have to hold a referendum to endorse a decision to join the European Union. It will be important to ensure that the referendum campaign is fought as far as possible on

the substance of a newly negotiated accession treaty that has already been sanctioned by Parliament at Westminster. Another plebiscite squabbling over fake news, fundamental misconceptions about the nature of the European project, and false promises about its future, would spark real alarm in Brussels and other European capitals.²² Britain should wake up to the European Union as it really is, unfulfilled potential and all. Harking back to the Brexit years is meaningless. If the UK comes back to Europe, it will be joining a new, more complex and competent Union, not rejoining something that is lost and gone forever.

Harking back to the Brexit years is meaningless

Going through the mill of the European Union's accession processes will give us British a chance to see ourselves as others see us. What kind of European country will be reflected in the mirror?

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- ¹ Financial Times, 17 September 2023.
- ² Report from the Commission to the European Parliament, COM/2023/118 final, 15 March 2023. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023DC0118>
- ³ Implementation of the EU-UK Trade and Cooperation Agreement, P9_TA(2023)0436, 23 November 2023.
- ⁴ Official Journal L 149, 30 April 2021.
- ⁵ Having been delayed five times, the new controls are scheduled to enter into force in April 2024.
- ⁶ For an update, see Simon Usherwood's blog, 25 January 2023. <https://www.open.ac.uk/blogs/EUatOU/index.php/2024/01/25/retained-eu-law-is-dead-long-live-assimilated-law/>
- ⁷ <https://obr.uk/forecasts-in-depth/the-economy-forecast/brexit-analysis/>
- ⁸ See for example, Peter Foster, *What went wrong with Brexit and what we can do about it*, Canongate, 2023; Jannike Wachowiak & Joël Reland, *Reviewing the Trade and Cooperation Agreement: Potential Paths*, UK in a Changing Europe, 18 September 2023; Andrew Duff, *Keir Starmer must plot a bold route back to Europe for Britain*, Financial Times, 5 December 2022.
- ⁹ Cambridge Econometrics, *London's Economy After Brexit: Impacts and Implications*, Final Report for the Greater London Assembly, January 2024.
- ¹⁰ John Erik Fossum & Christopher Lord et al, *Norway's EU Experience and Lessons for the UK: On Autonomy and Wriggle Room*, Routledge, 2024.
- ¹¹ Title II TFEU.
- ¹² <https://www.gov.uk/guidance/uk-trade-agreements-in-effect>. For a critical commentary, Stephen Hunsaker & Tom Howe, *Trade tracker: UK trade deals*, UK in a Changing Europe, 16 March 2023.
- ¹³ David Henig, *Building a Mature UK Trade Policy*, ECIPE Policy Brief, 3/2023.
- ¹⁴ UK Trade Tracker Q4 2023, UK in a Changing Europe, 16 January 2024.
- ¹⁵ Article 218(8) TFEU.
- ¹⁶ Title VI TFEU.
- ¹⁷ Title VII TFEU.
- ¹⁸ Title IV TFEU.
- ¹⁹ Article 217 TFEU.
- ²⁰ Andrew Duff, *Constitutional Change in the European Union: Towards a Federal Europe*, Palgrave Macmillan, 2022 (Open Access).
- ²¹ <https://youngov.co.uk/politics/articles/48260-four-years-after-brexit-what-future-forms-of-relationship-with-the-eu-would-britons-support>
- ²² Christopher Grey, *Brexit Unfolded: How no one got what they wanted*, Biteback, 2023; Andrew Duff, *Britain and the Puzzle of European Union*, Routledge, 2022.

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