

The Implications of Brexit for EU and UK External Relations: An Introduction

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1. Introduction

This handbook comes at a crucial moment in time. It was finalised on Europe Day, exactly 70 years after Robert Schuman underlined the need for ‘a united Europe’.¹ At the same time, that same Europe is confronted with the withdrawal of one of its Member States. Schuman argued that ‘Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a de facto solidarity.’ These days, European solidarity is challenged and, indeed, has not proven capable of keeping all Member States on board. With his ‘realisation of the first concrete foundation of a European federation indispensable to the preservation of peace’, Schuman could not have predicted some Member States would end up seeing close European cooperation as something standing in the way of their own national and global ambitions.²

At the time of writing, no decisions have been taken on the final shape and form of the agreement (or agreements) governing the future relationship between the EU and the UK. The Withdrawal Agreement (WA), that established the terms of the United Kingdom’s orderly withdrawal from the EU, entered into force on 1 February 2020.³ The WA regulates the transition period, keeping the UK outside of the EU institutional framework, while still fully applying EU law. The end of the transition is foreseen on 31 December 2020, with a possibility of a single extension, either for 1 or 2 years. The UK and the EU have also adopted the Revised Political Declaration of 17 October 2019 setting out the framework for the future relationship between the European Union and the United Kingdom.⁴ Both parties committed to establishing an ambitious partnership that reflects the political and geographical proximity and economic inter-dependence between the EU and the UK. The Political Declaration should serve as a point of departure of the

¹ Schuman Declaration, 9 May 1950 <www.robert-schuman.eu/en/declaration-of-9-may-1950> accessed 9 May 2020.

² In the words of British PM Boris Johnson: ‘We are big enough to do amazing things’. Speech at the Conservative Party Conference, 3 October 2017 <<https://blogs.spectator.co.uk/2017/10/boris-johnsons-conservative-conference-speech-full-text/>> accessed 1 May 2020.

³ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community [2020] OJ L29/7.

⁴ Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom, OJ [2020] C34/12 (PD)

negotiations, but it does not predict with any certainty, let alone reveal, the outcome of the negotiation process.

Negotiations between both parties started in March 2020 and are today ongoing, thus they cannot serve either to fully anticipate the future relations between the EU and the UK. The EU has always expressed its willingness to maintain close ties and develop a comprehensive framework for the future relationship.⁵ This position is reflected in the ‘Draft text of the Agreement on the New Partnership with the United Kingdom’ of March 2020 published by the Commission at the beginning of the negotiations. It covers all areas of the negotiations including trade and economic cooperation, law enforcement and judicial cooperation in criminal matters, participation in Union programmes and other thematic areas of cooperation.⁶ However, the UK does not seem to share this position. The UK Government considers that the negotiations should be focused on reaching a trade agreement following the Canada-style free trade agreement (FTA) and that cooperation in areas beyond trade should be covered in separate agreements.⁷

The implications of the future arrangements reach beyond the relationship between the EU and the UK and have a clear international dimension. The EU’s external relations have developed over time and EU competences in this area have not only increased in number but also in nature and scope. In many areas the EU has been in the lead in international negotiations and conclusion of international agreements, either because of an existing exclusive competence (e.g. in trade) or because of existing expertise and the wish to act as a cohesive force (e.g. climate). This has obvious consequences not only for the EU but for the UK now it is no longer a Member State. Brexit implies that the international legal position of the UK will have to be reset and certain dimensions of its statehood will have to be reactivated. In practical terms, it will no longer be able to rely on the EU’s expertise in international trade (including in the WTO) and it will have to seriously upgrade its own delegations in international organisations in which it was mainly active as an EU member.⁸ In other words, in many international settings the UK will have to face the reality of a major shift, that is, the transition from an EU to non-EU Member State. This, *inter alia*, entails that the UK has to negotiate a large number of international agreements, including – or perhaps above all – the so called ‘EU only’ agreements to which the Member States are not a party in their own right. The EU treaty database currently lists over 1100 international agreements concluded by the EU and/or Euratom with countries around the world, ranging from trade and economic issues to

⁵ European Council (Art. 50) Guidelines (Brussels, 23 March 2018) EUCO XT 20001/18.

⁶ Draft Text of the Agreement on the New Partnership with the United Kingdom (Brussels, 18 March 2020)

⁷ HM Government, ‘The Future Relationship with the EU: The UK’s Approach to Negotiations’ (Policy Paper 2020); Draft Text of the Agreement on the New Partnership with the United Kingdom (Brussels, 18 March 2020).

⁸ See Ramses A Wessel and Jed Odermatt (eds), *Research Handbook on the European Union and International Organisations* (Edward Elgar Publishing 2019).

human rights and the environment.⁹ As shown in some contributions to this book, simply ‘rolling-over’ these agreements is not always possible, for instance because third states may aim for a better deal than the one they had with the EU.¹⁰

Apart from the new international relations the UK will have to enter into and certain adaptations the EU will have to make in some of its current relations with third states and international organizations, the relationship between the EU and the UK will also be governed by international law. Indeed, while one could argue that the origin of the Withdrawal Agreement is to be found in EU law – as it was concluded between the EU and a (leaving) Member State – any future arrangement finds its basis in international (treaty) law. Brexit thus became a question of international law when the UK became a third state. As such, the former member is no longer part of defining the EU’s external relations but has turned into a target of this policy. Whatever the scope and depths of the new relationship, it will be international in nature while EU law will continue to apply to the UK only on the basis of its voluntary acceptance.

2. Aim of the book

The international dimension of Brexit runs the risk of being overshadowed by assessing the new EU-UK relations from the perspective of EU law only. This book aims at filling a gap in the literature by performing a comprehensive assessment of the consequences of Brexit under EU external relations law and international law. As indicated above, Brexit is not only relevant for internal EU policies, but also has important implications for the relationship between the EU and the UK with other states and international organizations. The objective of this book is to analyse the applicable rules of both EU and international law in relation to the withdrawal of the United Kingdom from the European Union. EU and international law not only framed the withdrawal itself, but will also regulate the future relations between the EU and the UK. Rather than looking back on the process, this volume takes a future perspective and addresses key challenges arising from the Brexit process for the EU and the UK.

Ever since the notification of the UK’s intention to withdraw from the European Union, legal scholarship has pointed to a variety of complex legal problems. While the focus has clearly been on the ways in which the UK could remain connected to the EU, the consequences for the EU’s (and the UK’s) external relations regime are equally complex. Both EU external relations law and international law have something to say about the problems that still need to be solved and the ones that can be expected on the basis of the new arrangements.

⁹ See <<http://ec.europa.eu/world/agreements/default.home.do>> accessed 1 May 2020. The database allows one to search for bilateral or multilateral agreements in relation to the specific activities of the Union.

¹⁰ See also Joris Larik, ‘EU external relations law and Brexit: ‘When Pluto was a planet’(2020) 4 *Europe and the World: A Law Review* 1

Our aim is to examine different scenarios and offer new avenues to develop the relations between the EU and the UK and with regards to other international actors. This book thus intends to make a substantial contribution to the academic state of the art on the future relationship between both parties as well as assess the legal consequences of Brexit for them in their dealings with third states and other international organizations. Its future oriented perspective allows the book to be relevant for the post-Brexit period, offering guidance and proposing solutions to the future challenges that are now emerging alongside the formation of the future relationship between the EU and the UK.

3. Structure of the Book

The twenty-two chapters of this volume provide a comprehensive study of Brexit focusing on the future relationship between the EU and UK and the wider international law implications. This introduction does not aim to summarize all of them. It has a more modest ambition of presenting the major objectives of the different contributions. The handbook presents novel perspectives on the future relationship between the EU and UK and on the impact Brexit will have on the international relations of both parties through the contributions of a number of legal scholars of different levels of seniority as well as legal experts of the European Commission who are all researching and working in this field.¹¹

The volume is formally structured around the international law implications of Brexit in four areas that were identified as key themes worth tackling for a comprehensive analysis: *The Framework for the Future Relationship between the EU and the United Kingdom (Part I); Brexit and Existing EU International Agreements (Part II); International Organizations and EU Diplomacy after Brexit (Part III); Common Foreign, Security and Defence Policy after Brexit (Part IV); Brexit and Specific International Arrangements (Part V); and Contested and External Effects of Brexit (Part VI).*

Part I aims to present the *framework for the future relationship between the EU and the United Kingdom.* For this purpose, attention is devoted to the implications of the withdrawal procedure itself laid down in Article 50 TEU and the various EU official documents that have supplemented the scant withdrawal clause by including additional requirements set out, in particular, in the Union's Guidelines¹² and the Negotiating

¹¹ It is based on the papers presented at the workshop on 'EU External Relations after Brexit - Implications under EU and International Law', organized by Juan Santos Vara and Ramses Wessel at the University of Salamanca on the 7 and 8 March 2019 in cooperation with the Centre for the Law of EU External Relations (CLEER). The contributions to the volume benefited from further reflection and the discussions that took place at and after the workshop. The works were tested against the views of practitioners from the legal services of the Commission and some Member States that attended the workshop.

¹² European Council (Art. 50) Guidelines (n 3).

Directives¹³. In this sense, even though Article 50 TEU does not provide for a transition period, it was perceived from the beginning of the Brexit negotiations that it would be necessary in order to avoid a legal void while negotiating the future relationship between both parties. As explained above, the current transition period facilitates the negotiation of a future treaty or treaties governing the new relationship. Since the UK is no longer a member of the EU, during the transition period the parties' relations are ruled by an international treaty, namely, the Withdrawal Agreement.

In chapter 1, **Allan F. Tatham** conducts a comprehensive analysis of the values and principles underlying EU withdrawal and their application in future contexts. He considers that a stark dichotomy lies in the fact that withdrawal, even though it represents the most fundamental form of rejection of the Union and its law, must nevertheless occur according to the relevant EU rules and principles. Tatham argues that, as happened with the accession process under Article 49 TEU, the EU institutions have developed the provisions of Article 50 TEU on withdrawal by complementing its terms with various official documentation. Taken together, they have given birth to the withdrawal or 'Brussels criteria' that govern this and any future secession of an EU Member State.

Tobias Lock, in chapter 2, provides a closer examination of the UK's peculiar position during the transition period and shows that the transition period does not represent a mere continuation of the status quo. During the transition period the UK will be in a twilight zone between EU membership and third country status. He argues that already during transition the UK has completed the move from being a subject of EU law to the status of object of EU law. This is due to the fact that its relations with the EU are now defined by an international agreement rather than by EU law proper. Lock explores the implications of the key provisions on transition in the WA and the imbalance between the UK and the EU during transition.

Adam Cygan and Ewa Żelazna evaluate in chapter 3 the positions of parliaments in the process that governs the conclusion of the framework for future relations between the EU and the UK and discuss challenges that these parliaments face in ensuring democratic legitimacy of the agreement. They consider that, due to their consent powers and considerable experience in international negotiations, parliaments in the EU are in a better position to scrutinise the treaty-making process than the UK Parliament. The impact that the future agreement will have on individual Member States and its political importance provide a rationale for incorporating the voice of national parliaments

Chapter 4, by **Polly R. Polak**, focuses on the significant gap-filling operation carried out by the European institutions in order to cope with the extremely complex process of withdrawal on the basis of the very scant regulation of Article 50 TEU. During the Brexit

¹³ Council of the European Union, 'Directives for the negotiation of an agreement with the United Kingdom of Great Britain and Northern Ireland setting out the arrangements for its withdrawal from the European Union' (Brussels, 22 May 2017).

negotiations, sometimes legal voids have simply been filled by extending EU rules on international treaty-making to the withdrawal process despite the clause only referring to paragraph 3 of Article 218. In other cases, separate Treaty principles have applied, notably, the principle of sincere cooperation due to the status of Member and not of third country of the withdrawing state. Finally, other specific withdrawal rules have emerged anew from the practice. All of this has allowed the process to be designed by the European Union in its interests while at the same time favouring the emergence of a heavily conditioned legal procedure of EU withdrawal that is different both from withdrawal mechanisms in ordinary international organisations and also in comparison to other EU external action.

Part II focuses on the impact of Brexit on existing EU international agreements, particularly in the context of the negotiation of the future agreements between the EU and the United Kingdom. In this regard, it offers a detailed picture of the implications of Brexit for key policy areas, such as trade, air navigation and the Area of Freedom, Security and Justice (AFSJ). It intends to capture the complexities that Brexit has for the EU and UK external relations in light of the WA and, in general, international law.

In chapter 5, **Panos Koutrakos** highlights how Brexit was advocated as the great disruptor which would unshackle the United Kingdom from the heavy-handed and inflexible trade policy imposed by the European Union while in fact a lot of time and energy has been spent seeking to ensure continuity of the EU's trade agreements. His chapter unpacks the relationship between the rhetoric of rupture and the practice of continuity. It does so by focusing on the effect of international trade agreements that were binding on the UK pursuant to its EU membership and by analysing how they were approached by both the British and the EU authorities and how they have been managed under the UK-EU Withdrawal Agreement and UK law.

The contribution by **Wybe Douma**, in chapter 6, looks into the implications of Brexit for aviation. To avoid serious disruptions in air transport services, temporary contingency measures were adopted during the withdrawal negotiations and which might still be used in case the negotiations on the future EU-UK do not succeed. In any case, the positions put forward by the Member States and the Commission on external competences issues during those original debates form the prelude to the manner in which the air traffic relations between the EU, its Member States and the UK will be negotiated for the period after 2020. Douma also explores the possible costs for the UK of exiting the single aviation market, notably for its aviation industry and national Civil Aviation Authority. Paradoxically, the discontinuation of the UK's membership of the European Aviation Safety Agency could reduce the UK's influence on the shaping of global aviation standards. Furthermore, the measures that several UK airlines took in order to meet the EU ownership and control rules are examined. Finally, some of the prospects of concluding new EU-UK aviation agreements before the end of 2020 are touched upon.

Paula García Andrade analyses, in chapter 7, the effects of the withdrawal of the UK from the EU on external action in the AFSJ, in which the UK enjoyed a particular derogation regime. She examines, both from the perspective of EU and international law, the legal consequences that Brexit has on international agreements concluded by the EU in the exercise of its competences under Title V of the TFEU, distinguishing between those agreements which did not bind the UK on the basis of its opt-out regime of the AFSJ and those agreements to which the UK opted-in in accordance to Protocols 21 and 19. The different situation of EU-only agreements and mixed agreements is addressed, paying also particular attention to the special nature of association agreements, normally concluded in a mixed form.

The contribution by **Adam Łazowski**, in Chapter 8, looks into one of the arguments repeated *ad nauseum* by supporters of Brexit: that once the UK leaves the EU it will embark on a Global Britain project and, free of the shackles of EU membership, it will negotiate trade agreements with countries around the world. The author proves that the early steps taken by the authorities in London have focused merely on rolling-over pre-Brexit agreements. The analysis of twenty agreements concluded thus far proves that EU agreements have not only served as a point of departure for post-Brexit deals, they have been either directly or indirectly copy-pasted into UK agreements with third countries.

As explained at the beginning of this introduction, Brexit has important implications for the relationship between the EU and the UK with other states and international organizations. **Part III of the handbook aims to explore the impact of the withdrawal of the UK from the EU on the participation of these actors in other international organizations and in EU diplomacy itself.**

Gregory Messenger analyses in chapter 9 the relationship between the UK and EU at the WTO. In identifying the core legal questions arising from UK withdrawal from the EU for trade relations at the WTO, Messenger looks to possible areas of cooperation and disagreement for both parties, challenging expectations that they will fall into either a dynamic of confrontation or subservience. Instead, he argues that the experience thus far, and the priorities for the future, set the ground for a relationship built on constructive creative competition.

In chapter 10, **Jan Wouters** focuses on the implications of Brexit for the functioning of the UN Security Council (UNSC) from the perspective of the EU. He outlines the importance of the UK's permanent seat in the context of the Brexit debate, both from the viewpoint of the UK and from the EU and its 27 Member States. Wouters explores what as of now has been agreed about the UK and EU's future relationship within the UNSC, in particular in the 'Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom'. He revisits the current EU Treaty mechanisms for EU 'actorness' in the UNSC and highlights recent dynamics in the practices of EU Member States sitting on the UNSC.

Mauro Gatti argues in chapter 11 that withdrawal of the United Kingdom may weaken the EU diplomatic network, since few Member States have a diplomatic network comparable to the UK. Brexit might also complicate the provision of consular protection to unrepresented EU citizens in third countries and increase the workload of other Member States' diplomatic and consular missions. To address these problems, the Member States may strengthen diplomatic coordination and increase the responsibilities of EU delegations in the sensitive area of consular protection. Gatti holds that an important precedent in this respect might be set by the new EU delegation in the UK, which should ensure the implementation of the UK's Withdrawal Agreement and, consequently, the protection of EU nationals in the United Kingdom.

In Chapter 12, **Fernando Castillo de la Torre** and **Agnieszka Stobiecka-Kuik** give an overview of the impact of Brexit in the area of external fisheries policy. They examine the Withdrawal Agreement, but also the possible consequences of a 'hard' Brexit and the alternative measures proposed or examined so far in order to mitigate it. The examination of the situation which would have resulted in a 'no deal' scenario may still be interesting in case of absence of an agreement or arrangement covering fisheries after the end of the transition period. The authors also analyse more specifically the impact of Brexit on each category of international agreements, namely multilateral agreements, Regional Fisheries Management Organisations and bilateral agreements. They make specific remarks on the future agreement covering fisheries that the EU and the UK undertook to make best endeavours to conclude by 1 July 2020.

Part IV focuses on the *Common Foreign, Security and Defence Policy (CFSP) after Brexit*. It has been understood from the beginning of the Brexit negotiations that the UK will probably continue committed to the objectives of the CFSP after Brexit. This may be due to the more intergovernmental nature of the EU competence in this area with respect to other EU policies. After triggering Article 50 TEU, the UK has continuously argued that there is a common interest in developing a close cooperation in foreign, security and defence policies in the future. This part not only provides a detailed examination of the provisions of the WA that specifically apply to the field CFSP during the implementation period, but with a cross-cutting approach also looks into how the UK and the EU may shape their cooperation in the CFSP after the expiry of the implementation period. In particular, it identifies areas in which there will probably be convergence between the UK and EU approaches, such as with sanction policies.

The United Kingdom has frequently indicated that Brexit should not lead to a complete detachment from the European Union's foreign, security and defence policy, but that in this area EU membership should be replaced by a new security partnership. In Chapter 13, **Ramses Wessel** maps the legal institutional obstacles and possibilities for the UK to continue participating in CFSP by analysing both the Withdrawal Agreement and, in particular, the existing rules on participation of third states in the CFSP and CSDP framework. In doing so he draws on current examples of third state participation in EU foreign and security policy.

Sara Poli examines in chapter 14 the way the UK sanction policy is likely to be shaped during the implementation period and after its expiry. The most important elements of the Sanction Act and Money Laundering Act (SAMLA) will be highlighted. It will be shown how in the post Brexit era the UK will be able to set out its own autonomous restrictive measures. The UK sanction policy is likely to align with that of the EU, although the UK may wish in some cases to go beyond the sanctions regimes adopted by the EU. Finally, the paper sketches reasons of concerns for due process rights and for the protection of the right to an effective judicial protection that arise out of the SAMLA; the implications of the regained sovereignty for the addressees of sanctions will also be assessed.

In chapter 15, **Viktor Szép** and **Peter Van Elsuwege** examine whether the EU and UK are clearly committed towards further cooperation in the sanctions policies and how this may materialise in the practice. They address this question from the alignment experience of other third countries. Based upon a legal and statistical analysis of existing models and taking into account relevant UK and EU policy documents and political declarations, Szép and Van Elsuwege establish different scenarios for future cooperation in the field of sanctions. They argued that, in contrast to the experience of other neighbouring countries, cooperation between the EU and the UK will most likely be a more open format for consultation and cooperation rather than a one-way alignment with the EU's sanctions regimes.

Scarlett McArdle focuses in chapter 16 on the cooperation between the EU and the UK in crisis management operations in the future. Indications are that the UK will continue to engage with crisis management, with both sides agreed from the outset on the need for continued cooperation in the area of security and defence. With the UK seeking a partnership deeper than any previously envisaged, the potential exists for significant lack of clarity on where responsibility may lie for breaches of international law committed by personnel in crisis management operations in which the UK is involved in the future.

Part V of the volume aims to exemplify *the broad implications of Brexit for a wide spectrum of policy areas*. This section is devoted to some of those policies whose specific features justify the interest in dedicating special chapters to each of them.

Chapter 17 by **Andrea Ott** assesses to what extent the UK can opt-in into EU agencies. It analyses the framework and conditions of third-country participation by emphasizing that agencies serve EU policies and that third countries have committed to applying certain EU policies or participating in the EU internal market. Consequently, participation in EU agencies by outsiders are classified into four categories (sui generis participation under international law, semi-membership of Schengen third countries, EEA members without voting rights, and observers). It will be assessed what conditions are connected to this participation and to what extent the UK fits in any of these categories.

In chapter 18, **Teresa Fajardo** underscores the many challenges arising from disentangling the UK from international environmental agreements ratified as part of the European Union and its Member States given. After Brexit, the UK will have to determine the way it will be bound both by international environmental agreements and *soft law*, according to the general requirements that have been agreed upon in the Withdrawal Agreement and the Political Declaration. International environmental agreements and soft law also play an important role in the first Draft legal agreement for the future EU-UK Partnership presented by the EU as they serve to set out the bases for a common level playing field for the protection of the environment.

Chapter 19 by **Chloé Brière** conducts an analysis of the future of judicial cooperation in criminal matters between the European Union and the United Kingdom. The definition of new modalities of cooperation during the transition period and beyond does not occur in a legal vacuum. With the globalisation of crime and the necessity to investigate the multilateral dimension of criminal cases, the European Union has developed a diversity of cooperation mechanisms with third countries, including through Eurojust, its specialised judicial cooperation agency. Brière explores how Brexit impacts on such precedents of cooperation, in particular in the context of the negotiations of the future relationship between both parties.

As a last element, **Part VI focuses on the *contested and external effects of Brexit***. It looks at this issue from both the perspectives of EU and UK external relations and international law. Brexit will have important implications for different policy areas and territories and there will be a need to find practical solutions to develop the future relationship between the EU and the UK, as well as to assess the implications for various areas of contested sovereignty. The Protocol on Gibraltar, as well as the Protocol on Ireland/Northern Ireland and the Protocol on the Sovereign Bases Areas in Cyprus, form an integral part of the WA (Art. 182 WA). In addition, Brexit will arguably become an important focal point of the reach of EU law and a high level of regulatory alignment- as a starting point- unlike that of any other third country before.

Juan Santos Vara (chapter 20) looks into the implications of the WA for Gibraltar. The Protocol on Gibraltar and the Memoranda of Understanding agreed between Spain and the UK in November 2018 will not allow Spain to assert its sovereignty in relation to Gibraltar, but they have given Spain an excellent opportunity to ‘take back control’ over many issues of serious concern to Spain. He argues that even though the Memoranda are not legally binding instruments, the Brexit negotiations allowed Spain to gain leverage in the dispute while postponing a direct push for sovereignty. Failure to find solutions to the issues that concern Spain with respect to Gibraltar will have an impact on the negotiations between the EU and UK. Santos Vara considers that a compromise between both countries may be included in a future framework agreement negotiated between the EU and the UK, following the precedent of the Protocol on Gibraltar.

Jed Odermatt explores in chapter 21 how the UK's withdrawal from the Union has also uncovered sovereignty questions for the UK's international relations. It discusses the UK's relationship with Palestine, Cyprus (Sovereign Base Areas and Northern Cyprus) and Western Sahara, as examples of how sovereignty questions arise through Brexit. He shows how the Brexit process is not only related to internal sovereignty, but also reveals the UK's conception of international legal sovereignty. Odermatt argues that the UK will have to decide whether to align its foreign policy in relation to such territories with that of the EU, especially in relation to the jurisprudence of the Court of Justice.

A final chapter by **Elaine Fahey** (chapter 22) focuses specifically on the cross-channel reach of EU Law in the UK post-Brexit. The UK will form a unique case study of the global reach of EU law where the depth of alignment will require careful sectoral examination and specific temporal delineation. Fahey's contribution is not fixated upon an outcome at the time of writing and explores the longer-term trends on the application of EU rules outside of trade agreements, the exportation of EU rules in trade agreements and the interpretation of EU rules post-exit in UK law. She considers global governance perspectives, EU law and EU international relations and the reach of EU law, political economy and regulatory alignment with the EU, EU law and international agreements on human rights and values regression and conditionality and domestic UK provisions on EU law post-exit on the retention of EU law.