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Jim Cloos conducted this interview in a personal capacity.

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The evolution of British Euroscepticism

UK in a Changing Europe (UKICE): Did you, at the time, see the Maastricht Treaty as a turning point in UK-EU relations?

Jim Cloos (JC): Yes, to some extent it was. To me, Maastricht was actually the most important treaty after the Rome treaties, for two reasons. The first is that the creation of the single currency was the crowning of the economic integration movement and, of course, it was a real challenge for a country like Britain, which immediately asked for an opt out, like Denmark. In that sense, it prefigured the development of the European Union in a direction which would

be difficult for the British.

Secondly, it was also the beginning of new policies, particularly the Common Foreign and Security Policy (CFSP), the second pillar, and the third pillar on Justice and Home Affairs. Particularly the third pillar, again, had the potential over time to develop into a difficult policy for the UK, which, there too, asked for opt outs at the time. Incidentally, I still remember when I was with Jacques Santer and we met Helmut Kohl, and he said, 'The issues which we are talking about in the third pillar are the issues which will determine the political fate of our governments in 15 years' time'. He was absolutely right, of course.

So yes, in that sense, the Maastricht Treaty was potentially a turning point for the relations with the UK. You remember that John Major said, 'Game, set and match' after it. I liked Major, actually. He was, in a way, my favourite British Prime Minister; the most decent of all and, actually, much better than his reputation. But I am sorry to say that it was not game, set and match for Britain. It went in the other direction. Later, with the arrival of Tony Blair, there was a chance that Britain could have moved to the centre of Europe, but he missed it.

UKICE: Viewing the subsequent couple of decades of British politics from Brussels, did you see British Euroscepticism simply as an irritant, or were you at any point thinking, 'This is going to lead to problems'?

JC: Well, it was certainly an irritant. Let us be honest, the argument about Brexit started the day Britain joined the European Union. Do not forget that the Labour government in 1975, just two years after Britain joining the Community, called for a referendum, which was quite upsetting for the other member countries.

Of course, I never thought it would get to Brexit. No one thought it would. But it was a bit more than an irritant, because the British was quite frequently 'the odd man out' in the Community. Just remember for instance the debate in the 70s and 80s on the British contributions to the EU budget. Or the way Mrs Thatcher was isolated at the Rome I and II conferences on the mandates for the upcoming IGCs (intergovernmental conferences) on the EMU (Economic and Monetary Union) and on the Political Union (second half of 1990), which led ultimately to the Maastricht treaty.

There is another reason why the British position was more than an irritant, linked to the dominance of the English language and the disproportionate weight of the English-speaking press in the reporting on Europe and the debate about the EU. The constant sniping from the side lines, the constant rubbishing of Brussels – with now-Prime Minister Boris Johnson being very prominent in that respect while a journalist in Brussels – actually did a lot of damage to the EU over the years.

On the other hand, we had the impression, particularly in the Blair years, that the British were slowly moving more towards the mainstream. Working with the British on individual files was not so difficult. They were still mildly pragmatic at the time and ready to do deals. Over time, however, the British lost their famous virtue of pragmatism and became increasingly ideological whenever the talk was about the European Union. But this was a political development, which until the fateful decision on the referendum, did not overly impair the cooperation with our British colleagues on the daily EU business.

Britain held weight in the discussions within the EU. In many instances, other countries including my own, the Grand Duchy of Luxembourg, were hiding behind the Brits from time to time. They were a difficult partner, but at the same time they were an important country, in terms of the economy and foreign policy, including defence. So while I thought that they would always remain a difficult partner, I very much hoped that over time things would improve and the Union would manage to cope with this difficult family member.

The renegotiation and the referendum

UK in a Changing Europe (UKICE): When it came to David Cameron's renegotiation of in 2015-16, do you think the EU took that and the risk of Brexit as seriously as they should have done, or was there more they could have done?

Jim Cloos (JC): No, the EU took it very seriously. I think we went to the outer limits of what we could have done. I was part of the team negotiating the February 2016 deal, and I witnessed the very serious work going into this deal. When I look back at it, I feel at times that we were actually maybe a bit too conciliatory on one or the other issue, like the reference to an 'ever-closer union of the peoples'.

UKICE: In what way?

JC: Personally, I feel that the EU should not have accepted this special interpretation of the 'ever-closer union of the people' coming from the British side. This mention had been present in the EU treaties from the start, so it was part of what we call the 'acquis communautaire' new members had to accept when joining the EU. Coming in 2016, decades after the creation of the Union and requesting a special reading of this (in my eyes beautiful) concept for one particular country just seemed odd. It also opened the risk of other countries sooner or later requesting their own reading of it.

I also believe that that we should maybe have been even more forceful in rejecting the amalgamation the British government did between free movement of persons (a treaty right for EU citizens) and migration (which concerns non-EU nationals).

Everybody wanted to keep Britain in, let us be very clear about this, so the Union went as far as it could in those negotiations. There were certain things it simply could not do. So, no, I think there is nothing more we could have done. Of course, in the end it was to no purpose at all: one of the reasons being that the man who had negotiated this deal and tried to sell it at home was the same person who, to put it mildly, had rarely before used the opportunity to present the EU in a positive light. Quite the opposite.

UKICE: Were you surprised by the results of the referendum?

JC: There was a lingering fear. But, in the end, I thought Remain would scrape through and that some people who had announced, in a sort of blustering way, that they would vote for Brexit would, in the end, shrink back from it. I thought it was a bit like the Trump election. It is very similar; I also thought, in the end, he would not make it. On both accounts, I was too optimistic.

UKICE: Had there been contingency planning for a Leave outcome in the Council before the referendum?

JC: No, not really, for a very simple reason: anything which happens in Brussels is pretty transparent and open. Any serious contingency planning would have suggested that the EU seriously envisaged a negative outcome,

whatever was said about the nature of contingency and preparing. It would only have created problems, even internally. We knew that if they said Leave, we had a two-year period to negotiate a deal, so there was no contingency planning in that sense.

UKICE: Everyone has been struck by the unity shown by the European Union in the years after the referendum, but, in the early phases, was there a hint of a tussle between the Council and the Commission as to who should be in charge of this process?

JC: No. I suppose you're referring to a short spat which had come about through a complete misunderstanding about the creation of a Brexit task force in the Council secretariat.

UKICE: Yes.

JC: What happened is, immediately after the Leave vote, the Secretary General of the Council, Jeppe Tranholm-Mikkelsen, decided to create a task force to deal with Brexit. This had nothing to do with trying to occupy the ground or taking away the role of the Commission. It was a purely internal measure.

I remember it well, because we discussed it amongst director generals. It was done to avoid the whole senior management of the Council General Secretariat dealing more with Brexit than with the 27 other member states for the next two or three years. It was a clear indication that our concern was the 27 and that an internal task force would work full time on negotiations with the future ex-member Britain.

There were some voices saying that the Council Secretariat wanted to take over the negotiations with Britain. That was complete rubbish and quickly disappeared. In fact, the Council secretariat and the Commission worked extremely well together on this issue. There was very strong unity.

The vote was on the 23 June – I remember it well because it is also the Luxembourg National Day. Just a few days later, on 29 June, there was an

informal meeting at the level of Heads of State or government in the format of 27. They adopted a one and a half page document, which was very good, very clear, very simple, and which made all the right points. That was the beginning of a process, as you rightly say, which was actually quite impressive, in terms of unity.

I was not among those who thought that the Union would break up or that it would be all over the place. Nor did I think that the British would have a huge competitive advantage in this negotiation. This being said, I was still pleasantly surprised by the sense of purpose and unity the 27 showed. Some people were saying, 'Oh my God, this will be terrible. The British are good negotiators. They will pull us over the table'. I was convinced that such a thing was not going to happen. There are some simple facts in life; one, 27 is more than one, and the economic weight is not comparable. Secondly, because this chefsache, – chefsache means top-level European Council decisions – from the start showed the European Council would produce an EU position agreed by consensus. This need for consensus was not a weakness but a strength.

When it comes to consensus, you could say, 'Oh, well it will be difficult to develop a joint position'. Maybe, but there is no choice but to do just that. And in that case, it is almost impossible for an outsider to play *divide et impera*, which the British are normally very good at.

To give just one example. The British could go around Europe and convince 25 or 26 member countries to get a special deal for the City of London on financial services. However, if Luxembourg considered that this was against the interests of the Luxembourg financial centre, they would not shrink from saying "no" to such a deal.

Take the example of Gibraltar. When the British joined, between 1973 and Spain's accession to the EU in 1986, there was no challenge to the UK on Gibraltar. However, when the Spanish joined, the playing field became level. Spain, which felt they had been short-changed in enlargement negotiations, made sure that the EU did not take the side of the UK. The day the British voted to leave, the Union was right behind the Spanish on Gibraltar. It is just normal. If you are sitting around the table, you are part of the club. If you are not, you are not part of the club. It is very simple.

Overall, the Union put on an impressive performance. There were several reasons for this.

First of all, contrary to what I thought at the time, the nomination of Michel Barnier was a great move. The way Barnier grew into this job was quite impressive.

The second factor is that the vote happened in 2016. This came after a string of crises, including a very difficult migration crisis, then came Brexit plus Trump. Many people were thinking this to be the last nail in the Union's coffin. But the heads of State or government had exactly the opposite reaction and said, 'Now, this is bad. We do not like this. But we will show the world that a EU at 27 will work'.

The people in the European Council who were the most vocal on this were the representatives of countries where there also existed a good dose of Euroscepticism. They said, 'We are critical of many things, but no, this is completely beyond the pale. We are going to show that the Union will not only stay but thrive'. So it was a clear change.

In a way, 2016 was the peak of the EU's crises. We had the migration crisis. We lost a key member of the European Union. We had Trump, who called into question everything which the Americans had constructed since the Second World War. It was really a very, very difficult moment, and it led to a very strong reaction from the EU, led by the European Council.

The Withdrawal Negotiations

UK in a Changing Europe (UKICE): What did you make of the UK position as it evolved via Theresa May's party conference speech in 2016, and the Lancaster House speech in 2017? Were you surprised by the position that she outlined?

Jim Cloos (JC): Yes. I was surprised because I am a rational person, and she had been a Remainer. She became the Prime Minister, and of course, she had to make concessions to the Brexiteers, but what she did is she aligned with their toughest positions and fixed red lines which made it impossible for Britain to have a good deal. She said, 'Out is out', and, of course, you could not

disagree with that. But I never understood why the British government at the time allowed themselves to be driven into the corner by the Brexiteers. It was not as though the referendum had gone 75% against 25%. This was a divided country, and if you have a divided country, you want to cater for the very strong minority as well. But we had the impression that they did not do this.

Barnier was crystal clear in the handling of relations and had the confidence of the Heads of State and governments. He was always transparent with them, and he was also very pedagogical in his public statements. You may remember the day he presented a chart on the various relationships that a third country can have with the EU. Pointing to the chart he explained that Britain had been here, among the 28. 'As the UK leaves, it goes down a step. The next possibility just below membership – the Norway model – is also rejected by the UK. Then you go down to the next level with the Swiss model. The UK does not accept that either, because of the role of the European Court of Justice. Well, we are then down to the Turkish model, which implies a customs union with the EU. Again, a red line. So in the end what remains on offer is a classical Canada or at best a Canada-plus model.'

I was surprised, because everybody tells me how brilliant the British are at negotiating, but if you approach the negotiation framework from the beginning like that, then you deprive yourself from getting the best possible deal.

UKICE: On the British side, there was, at least initially, an expectation that because Britain was a big partner, a big ally, and important security player, that the EU could and should have actually bent some of its own traditions, even some of its own rules, to make a special accommodation. Was that never something anyone thought about?

JC: No, the EU would have been mad to do that, precisely because Britain is such a big country. You cannot live with such a big country next door without having a level playing field. And then there are legal limits to what you can do.

Maybe it is worth recalling what happened in 2011 with the Fiscal Compact Treaty, where the British government tried a little blackmail. The euro area was in difficulty and needed some adjustments to the treaties (only applying to the euro area members). Then Cameron said, 'Oh I can only accept a treaty change if I get a special protocol for the City'. This was not about the defence

of the Single Market, it was about obtaining a special advantage for the UK in financial services.

Of course, he fell flat on his nose because the French, the Germans and the others said, 'No, we are not prepared to do that. If you insist, we will do an intergovernmental treaty at 17, and those who want to join can join', which basically all of them did, except the Brits and the Hungarians.

I still remember, in the December meeting in 2011, when Cameron said, 'I want to protect the integrity of the Single Market', Mario Monti said, 'David, I couldn't agree more with you on the integrity of the Single Market. But what you are doing is not protecting it, it is a regression. You want to have particular advantages for Britain, and it just will not fly'.

Now in the Brexit situation, with the UK becoming a third country, there were even fewer reasons to give special advantages to it and allowing it to have their cake and eat it.

UKICE: When Theresa May finally triggered Article 50 in March 2017, what was the mood like in the Council? Was it difficult to come up with the negotiating mandate that finally appeared in April?

JC: No, not really. Of course, agreeing a group mandate is never easy with 27 member states; you need the consensus of all and that requires negotiations. But there was very strong determination, and there was very strong unity – it was really quite impressive – including from countries which were historically close to the UK. All the major discussions on Brexit in the European Council would start with the President of the European Council saying, 'I take it that we can all agree to the text?'. We measured how long those texts took to agree; it once took 57 seconds, once 2 minutes, and once 2.5 minutes. This method of agreeing the text was used on purpose, to show that we would not have long divisive discussions at the level of the Heads of state.

The British always thought that European Council summits would be completely dominated by the Brexit issue. That is not at all what happened. This was a conscious policy, but it also came very naturally to the member states. I was very struck by the fact that, however much people regretted the exit of Britain, they just said, 'It is okay. Fine. Let us get on with life'. They

were not completely obsessed with it.

Each time the European Council met, the British press would create a lot of *hype*, announcing spectacular negotiations at the level of the European Council. Remember that at this time, the British were still members of the European Union, and thus still sitting in all the normal meetings. Theresa May repeatedly tried to use the European Council, where she was present, to discuss Brexit. The other members of the European Council consistently refused to do that and insisted on the fact that the treaty foresaw a format of 27 whenever there was a need to adopt a mandate for negotiations with the exiting member state. The only thing they would concede was to allow the British PM to make her points on the state of Brexit, and then the President would say, 'Thank you Theresa, we have listened to you and we will talk at 27 about this'. They were very disciplined.

UKICE: Even prior to the mandate, it was interesting that Donald Tusk said, I think in November 2016, 'We are not going to make a deal on citizens' rights until you trigger Article 50'. Were there any member states who opposed that line?

JC: No, not to my recollection. I should maybe add that since I was dealing with the European Council matters I followed things closely when they got to this level. But as far as my daily work was concerned, I was not dealing with Brexit. We had created this special task force precisely for that purpose.

UKICE: Were you surprised when Theresa May called the 2017 general election, so soon after triggering Article 50? Did the outcome of that election change your expectations about how Brexit would end up?

JC: I do not really want to comment about this, because this is pure British politics. And if there is one thing you learn when working for the EU is not to question the outcome of national elections. You just work with the elected representatives of the country and that is it.

As far as we are concerned, from our perspective, we had a situation, we had Article 50, we knew what was important, and whoever sat on the other side, you just had to get on with the business.

UKICE: I can almost pose that question in a slightly different way. Her first major Brexit statement post-election was the Florence speech. Were you reassured by the fact that she seemed to have shifted her position slightly? Did you think that that was a movement on the British side?

JC: Again, I think I have to come back to what I said before – I did not follow this on a daily basis, and I kept a bit away from it, until it came to the European Council. I did not want to spend my time interpreting any statement coming from Britain. It was no longer my business.

I studied in Britain, I got a scholarship from the British to go to the Soviet Union, and my daughter works in Britain. I feel quite close to the British, but psychologically, as far as the Union is concerned, that is it.

UKICE: Can you talk about the October Council in 2017, when the Brits turned up expecting a verdict of sufficient progress and there was not one?

JC: Yes, I do recall that, though not every detail of it. It goes back to what I said before about using the European Council. You saw the spin in the British press about the “big boys” within the EU going to tell the others to move towards Britain. We heard a lot about the German car industry in this respect. But that was a complete misrepresentation of the mood in the European Council.

UKICE: Equally, the other big thing that year was the joint report on Northern Ireland. Did you, at the time, have any pre-sentiment that this was simply going to store up problems for the future, both in terms of the text itself, and in terms of the way the UK reacted when the report was published?

JC: I think everybody knew two things. One, the importance of the Irish question and of the Good Friday Agreement, and the potential risk that Brexit would bring to it. Secondly, everybody knew that the border was not an easy question, because once Britain was outside of the customs union and the Single Market, simple logic dictated that we needed some form or other of border controls.

Various options were studied to achieve this without creating negative effects for the people on the island. In the end, the British government opted for a

scheme whereby some controls were needed between the mainland and Northern Ireland'. A deal was struck on that basis and this is part of the final agreement ratified by the parliaments on both sides. I am a bit surprised now to hear that there are requests on the UK side to reopen this deal, which was negotiated in good faith.

UKICE: If we come on to the Council guidelines for the trade negotiations, those guidelines noted the fact that the UK had decided to leave the Single Market and customs union. Do you think there was an expectation among the heads of state and government that the UK would modify that position, and that those red lines would change?

JC: It is very difficult to say, because there may have been different views among the leaders about that, but the European Council dealt with the situation as it was, and on the basis of the position expressed by the British government.

The line was always to say 'We are ready to have the closest possible relations with the British, but it really depends on the British.' And when I say 'the British' it obviously means the British government. You negotiate with the latter, not the parliament nor the press. Now, maybe individually, some people were saying, 'We hope they will come to their senses and they move', but that is not business for the European Council.

UKICE: There was no hint of any country saying, 'Look, these are their red lines. But there is a lot of trade at stake here. We need to try and be a bit more flexible'?

JC: No, not at the level of the Heads of State or government. I only recall a lot of firmness. I very frequently heard people talking about lose-lose situations. They were quite lucid, and they never pretended they were pleased about any of this. Not at all. It was very clear, we were talking about damage limitation.

As far as the Union was concerned, some damage was inevitable. If such an important country leaves the European Union, there is damage, of course. The question was about damage limitation. This was a bilateral negotiation. If the other side fixes red lines which make it impossible to stay close to the status quo, then you just have to say, 'Well, that is life'. We are not the *demandeurs* in

this. It is the other side which is the *demandeur*. The EU did not decide to leave Britain, it was Britain deciding to leave the union. You cannot expect to leave a club and continue benefiting from the services it offers for free.

UKICE: Do you remember the reaction within the Council to the 2018 Chequers proposal?

JC: The reaction was that this looked like a new proposal, but it was not really. It is very difficult to play with a fixed notion like a customs union. I mean, if you have a customs union, it is legally binding, it is defined, there are certain rules that go with it, and there are even certain behaviours vis-à-vis third countries. But we did not have the impression that the British wanted any constraints on negotiating the famous 'Global Britain' deal.

UKICE: Do you think that the way the Prime Minister was treated at Salzburg was counterproductive, in the sense that, because she was made to look weak and slightly humiliated, that actually undermined her ability to sell the eventual deal at home?

JC: That reads too much into it. First of all, I do not think Theresa May was humiliated, certainly not in the meetings. The tone was always actually quite pleasant, including on her part, and she always repeated, 'We will not leave Europe, we are leaving the European Union'. She was actually quite constructive in tone in the meetings. What people say at home and to their press is sometimes a different matter.

Basically, Chequers was a negotiation within the Conservative Party, so why should the European Union jump and say, 'Oh great, we see an opening here'. That can only happen in the direct negotiations where you can actually ask questions. Expecting that Chequers was the breakthrough was, at best, a bit naïve.

UKICE: When we finally got the agreement emerging out of the tunnel, do you recall if there were those on the EU side who felt that too much had been conceded to the UK?

JC: Not really, no. First of all, they were kept informed by Barnier all the time, and, of course, they talked amongst themselves. No-one was taken by

surprise. Secondly, I think the overwhelming view at the level of the European Council was, genuinely, to have the best possible relations, and to be ready to make an effort for that. When this got to the European Council level, there were no second thoughts on this. People simply said to Barnier, 'You have to make sure there is a level playing field. There are certain red lines for us', and he knew this perfectly well. So, when he came with the deal, there was very little difficulty.

Incidentally, I should add that the European Parliament was closely associated, in many ways, and of course the Commission because Barnier negotiated on behalf of the Commission.

UKICE: It is curious though, isn't it, because, on the one hand, there is this immense EU sensitivity, without wanting to trivialise it, about chilled meats in Northern Ireland, and on the other hand, you have this all-UK backstop idea, which notionally gives the whole of the United Kingdom a degree of comparative advantage over Europe. It is surprising that the EU reaction now is so heated, and the reaction then was relatively muted, or there was not one at all.

JC: Well, hang on, why is the reaction heated now? Because the British Government seems to be calling into question a deal which has been signed and ratified. That is a very difficult situation. Incidentally, what you are saying shows that the Union negotiated in good faith.

UKICE: Obviously, the EU then comes up with a deal in negotiating with the United Kingdom. Do you remember, at the time, whether people on the EU side were expressing concern about the fact that this was a deal Theresa May would never be able to sell at home?

JC: That is not the way it works. *Mutatis mutandis*, when you do an EU treaty change, for instance, the Heads of State or government negotiate, and, of course, there is always a risk that one of the parliaments will say, 'No'. We have seen this in the past, haven't we?

Of course, what happens in the negotiation is that a country can say, 'If you try to do that, then I will have problem ratifying it'. But, as far as the Union is concerned, my impression was that there was a mandate, and there was a will

to do as much as possible. There was a will from the EU27 to respect red lines and let us do the deal. Then it was for the British government to convince the British people. Again, you have to distinguish between what individuals say and think, and what the European Council, as a body, does.

UKICE: As we entered that fraught political period in the UK, from December 2018 to April 2019, was there a lot of interchange between the EU27 Heads of State and government about the situation? Was there an expectation that Theresa May would eventually triumph, or was there a sense of foreboding that she would fail?

JC: From Brussels, I cannot judge this, because this happened in the capitals. There are always contacts and people are always talking, and I am not privy to what the Heads of state or government say to each other and in bilateral talks. So I cannot really comment on that.

My impression was that the Union had done everything to get a deal which was saleable for both sides, because otherwise, why should a government sign a deal? Do not forget, we also had to go through a ratification process, and so we catered for ours, the British had to cater for that, and then you have to see what happens.

UKICE: Equally, was there a sense on the EU side that Mrs May would genuinely go for no deal if she thought there was no option, or was that always taken as a rather hollow threat on her part?

JC: I do not know. As I said, when you go to a European Council, you see what the situation is and what could be a solution. You are not double guessing it. You are not saying, 'Yes, but if'. You just take all the factors, then you try to find a deal, and you go with it.

UKICE: The other interesting thing was, in his April statement about the next extension, Donald Tusk very notably said, 'Until the end of this period the UK will have the possibility to revoke Article 50 and cancel Brexit altogether'. Was there a hope or expectation that that might happen, or that there might end up being a second referendum at that point?

JC: The only thing I would say to this is that Donald Tusk always wanted to

seize every possible opportunity to keep Britain in the European Union. But you would have to ask him why he said certain things at a certain time. He is a politician, I am not. He has a certain strategy, he made public statements throughout.

UKICE: Was there, at any point, discussion within the EU about whether the UK would be prevented from holding the 2019 European Parliament elections?

JC: First of all, when you say within the EU, I cannot answer the question, because we are 27 member countries. Secondly, the way you ask the question implies that the EU somehow meant to 'punish' Britain. In reality, the debate was about whether the UK should be allowed not to organise the elections! Within the European Council, there were discussions about this. But, primarily, this was a very important question for the European Parliament itself to decide. I think in the end there was a feeling that the easiest solution was just to respect the treaty and to get along with it, despite the fact that it led to a slightly awkward situation, where you still had British members of the European Parliament until the actual exit.

But I do not remember long debates about this in the European Council. This was more a discussion in the margins, including with the European Parliament.

UKICE: Did the election of Boris Johnson change the tone of relations within the European Council at all?

JC: Not really. I will not comment on the rest.

UKICE: In August 2019, Boris Johnson sent a letter to Donald Tusk in which he described the Irish backstop as anti-democratic. As far as you can recall, from within the European Council, was this seen as a positive step that would open the way for a compromise, or as something more negative?

JC: As I said, we all knew what the situation was for Ireland. I think the European Union was absolutely determined not to create a problem for the Good Friday Agreement, while, at the same time, respecting something which is a core rule- you cannot have a single market with no external border. It is simply impossible. It does not exist in the world. So we always knew this was a difficult circle to square.

I suppose people were looking for the best possible solutions when the British said, 'Okay, we would prefer to have the other backstop'.

UKICE: Was it controversial at all in the European Council, that you ended up restoring, essentially, the Commission's original proposal on Northern Ireland, plus consent?

JC: No, I do not think so. I cannot speak for the individual members of the European Council, but I think the feeling was, 'Okay, if this does not work we are ready to look at the other option'.

UK-EU relations after Brexit

UK in a Changing Europe (UKICE): Was there a reaction in the European Council, that you are aware of, to Johnson's electoral victory in December 2019?

Jim Cloos (JC): No, they do not do this in meetings. They might do this in the margins, which I am not privy to. Again, there is a long tradition in the European Council that elections happen in democracies, and you respect the outcome of an election, like we respected the outcome of the referendum, even if we did not like it.

UKICE: When it came to the mandate for the Trade and Cooperation Agreement (TCA) negotiations, was it difficult to arrive at that mandate?

JC: That was a bit more difficult than the initial mandate, for obvious reasons, because you entered into areas where you did have divergent interests between member states; some are more interested in financial services, others more interested in agriculture, and others are more interested in fisheries, so that was a tough negotiation.

It did not distract from the overall constructive and unitary approach to things. But, of course, any negotiation in Brussels is a serious negotiations, so it was not an easy discussion.

UKICE: During the course of 2020, as the pandemic hit and Barnier and Frost both ended up coming down with Covid-19, was there an expectation in the

European Council that the UK would seek an extension before the deadline at the end of June that year?

JC: Some people thought so, others not. But, again, the European Council looks at the position of the government, the UK government said there would be no extension, and then they said, 'Okay'.

UKICE: Do you think, ultimately, the deal that was struck was a good result for the EU?

JC: Yes, otherwise they would not have accepted it. But again, let us be honest, it is a lose-lose situation, and we are talking about damage limitation. I think the damage will be bigger for the UK, over time, than for the EU. But that is life. However, there will be damage for the EU as well, and we know that.

I think it is a deal which is defensible, and that is why it was defended and ratified. It was endorsed unanimously by the heads of state and government, so even as a retired civil servant I am not going to tell you it was against EU interest. It isn't, because they would never have accepted it if it was. Do not forget, every single head of state and government had to accept this.

UKICE: You wrote recently that the EU must resolve its future relations with the UK. What is the state of UK-EU relations now, at the end of this period? Would you say that the TCA is a sufficient basis for their future relationship?

JC: It has to be for the time being. My personal feeling is that we will have very difficult relations for 3 to 5 years. As a European, my feeling is we have to be quite tough on certain issues, and then we will see what happens. I think things will fall into place, in some way or other. I hope so.

I will give you one example. The European Union was very open to doing a deal on CFSP matters; how to work together within the UN and more generally on foreign policy and security. The British did not want to do this. There I was a bit surprised, because in substance, this is an area where integration had been less developed and where Brexit did not change things as dramatically as in other areas. Besides, since the UK stays in Europe and is a partner in NATO, there are really very few reasons to lower the level of cooperation. And on top of that British and EU positions are and remain very close of most foreign

policy issues. Actually, things could even become easier, in a way. For me, the British attitude here, -this is a purely personal reading of it-, is tactical, because they wanted to show that they were not asking for anything, that they were not interested and we had to be begging for it. I do not think the Union should be begging for anything. I think this will be settled sooner or later.

You will also see what the Americans will have to say at some stage about this. I am fairly relaxed about our cooperation within NATO, and our cooperation on security and defence. I do not think that it will change that much. It might take more time than I had initially thought. Walking out of Erasmus, I think, is sad. But again, I see this as tactics.

UKICE: Are you at all concerned that relations at the present seem a bit competitive, a bit prickly?

JC: Whether I am concerned or not is neither here nor there. I have rarely seen a divorce where there is no tension.

It would be very surprising if everything went extremely smoothly, particularly in light of the way the British press functions. It would be very bizarre to say there is no tension because too many people in the UK are stoking tension, as far as Europe is concerned. They have done so since 1973.