

The UK could be in line for years of Swiss-style negotiations with the EU

Prior to the Brexit referendum, it was common to cite Switzerland as a model for the UK to follow after leaving the European Union. Clive H. Church writes that while Brexiteers' enthusiasm for this approach largely evaporated following the referendum, the UK has ultimately ended up on a path that has many potential similarities with the Swiss-EU relationship.

At the time of the Brexit referendum in 2016, there was much talk of the UK following the Swiss model. This was suggested as one way in which the country could best organise its relations with the EU after Brexit. Such ideas fell away with Theresa May's dismissal of off the peg solutions and the emergence of doubts from Brexiteers about the Swiss approach. This was itself a reflection of the gradual hardening of Brexitism towards the issue of sovereignty.

However, now that a deal has been struck, people are again talking about Switzerland. This is not a matter of urging the UK to do what Switzerland has done, but rather an emerging realisation that, deliberate or not, there are possible similarities between the process which is likely to emerge from the Trade and Cooperation Agreement (TCA) and the way the Swiss have conducted their relations with the Union.

Such similarities are likely to increase, especially if the Swiss ever do sign up to the proposed Framework Accord (FA) with the EU. It could also be said that the general political situation the UK will find itself in is close to that endured by the Swiss for nearly 30 years. And other suggestions have been made that the UK's situation could be improved by following Swiss economic and other strategies. In other words, the UK seems to be on a Swiss-style road.

In Switzerland, mainstream opinion has not considered such possibilities. In fact, many Swiss commentators have been highly critical of many aspects of the TCA. Many see it as something to which the UK has had to sign up to in order to avoid something even worse, in the shape of a catastrophic no deal. To mainstream Swiss commentators then, the TCA offers much less than their existing bilateral arrangements. Certainly, it is no model for the Swiss. Critical Swiss have also concluded that, if the TCA was all that the third largest economy in the EU could obtain, it did not bode well for Swiss prospects in any re-negotiation with Brussels.

Yet, at the same time, there is another view. For many Swiss anti-Europeans, there has been a surprising new enthusiasm for the British approach. For them, the TCA is not seen as similar, but as a new path-breaking model they fervently wish the Swiss to follow – and certainly a far better option than the detested FA. They believe that Boris Johnson showed more focus, resolve and better public relations than the Swiss government. And he has ended up with a deal involving no relations with the ECJ, no automatic take-up of EU legislative changes and no free movement, things not true of the FA. Moreover, the TCA has created space for Switzerland to successfully renew negotiations, now that the country is no longer the hostage of Brexit. So far, this enthusiasm has not been picked up on in the UK. In fact, paradoxically, after first embracing the Swiss option, British Brexiteers largely turned against it.

There is a further irony in all this because, at first glance, the likely new model for Swiss-EU relations itself would actually seem to have much to offer Brexiteers. This is likely to become more so once the governance constraints and mechanisms required by the TCA actually bite. These have so far not been fully appreciated by most British commentators, contrary to the case in Switzerland. So, whether Swiss Eurosceptic enthusiasm is likely to last is open to question. In any case, the UK may still finish up going down a road much closer to that followed by Switzerland than it might have expected, though without many of the advantages enjoyed by the Swiss.

Moving towards Swiss-style relationships?

The fact that the Christmas Eve deal could resemble the Swiss situation was [first highlighted by the Economist](#) back in January. The piece argued that as the TCA is a thin and limited agreement, its omissions will force the UK to engage in on-going and grumpy negotiations with the EU, notably on services, just as happens with Switzerland. These stand-offs can sometimes give rise to cross retaliation. They can also go on for years and generally Switzerland finds itself as the supplicant, since it is much weaker than the EU. Timothy Garton Ash [reinforced this point in a later article](#), foreseeing that while the UK might, in his words, be “a Greater Switzerland with rockets”, it would still be likely to lose out to the EU and its powers of retaliation.

The Swiss have been walking this road for decades. In fact, they have been negotiating since 1993. It was some 12 years later that they finalised a workable series of arrangements to mitigate the costs of being largely outside the EEA and the Single Market. Moreover, there have been years of negotiating a further deal to consolidate their various accords, and these look likely to go on for a while yet. So, following the Swiss road may mean that, rather than having got Brexit done, the 24 December agreement might only be the start of a lengthy process.



UK Prime Minister Boris Johnson signing the Brexit Trade Deal with the EU in December 2020, Credit: Pippa Fowles / No 10 Downing Street (CC BY-NC-ND 2.0)

If, as suggested, the UK ends up negotiating more side deals, this could have two consequences. One is that the detail of the new deals might be like those of Switzerland. This has, in fact, been suggested for the emerging data relations between Brussels and Westminster, which could end up looking very much like those now prevailing between Brussels and Berne.

The second consequence is that increasing the number of agreements, while potentially satisfying the desires of Brexiteers, could make the situation harder to manage. This has already proved problematic for the EU with Switzerland. Hence, it is not beyond the realms of possibility the EU might, in future, seek to consolidate its dealings with the UK and systematise their evolution. In any case, as with Switzerland, such questions of relations with the EU could, despite having quit the bloc, turn out to be the dominating foreign policy question in Britain, as it is in Switzerland.

A further parallel is that the TCA has a governance structure similar to that being proposed for Switzerland. And this will almost certainly become a cause of friction in Britain as it already is in Switzerland. Although this has hardly been noticed so far in Britain, the structures involved along with the many obligations the treaty creates for the UK, could be very constraining. They might even threaten the recovery of control and sovereignty. Taking back freedom, in other words, does not mean total disconnection from the EU.

Swiss and UK politics

Assuming that further difficult exchanges with Brussels do lie ahead for the UK, the Europe question will remain divisively central to British domestic politics, as is the case in Switzerland. The Swiss experience suggests that long drawn-out negotiations do not imbue people with Europhilia. Rather, they will likely help to maintain anti-European sentiments such that any possibility of re-joining will be excluded. However, British Remainers could be more effective in arguing their case than Europhiles in Switzerland.

In any case, if Europe continues to be a central issue in UK politics, then bringing the country together is likely to remain very difficult. This could be especially so given the national dimension of the problem in the UK. Although there have been tensions over Europe between the Swiss linguistic communities, these are as nothing to the strains created by the desires for independence visible in Scotland, Northern Ireland (where reunification is now being canvassed) and even Wales. All this could place restraints on government action as has long been the case for Berne.

Finally, Britain will, no matter that it has finally secured its deal, be a third country. This means that it will have to do the sorts of things which Switzerland has had to do to keep abreast of EU developments which are likely to affect it. This will throw up the question of whether it will have to accept them, although Swiss style autonomous adoption is unlikely. And it could also have to follow Switzerland in making more use of the Council of Europe, despite Brexiteers' detestation of the ECHR.

Destination unknown

Overall, it seems that although the UK had initially resisted the EU's offer of "a partnership with Britain such as has never been with any other third country", preferring (because of their insistence on the formalities of sovereignty) a more distant and formal relationship, this is not where it finished up. As Michael Gove now says, the UK is in a special relationship with the EU.

In fact, the TCA is not just an economic matter, as much discussion suggests. It is an intrusive and politically binding affair which it is hard to fit into the image of buccaneering global Britain. Equally, it is far more complex and constraining than Swiss anti-Europeans have realised. Were Switzerland to copy the TCA, as Swiss Eurosceptics urge, they might well find that it presents them with the kind of constraining embrace they had rejected when they turned down the EEA.

This is bound to grate on Brexiteers before too long, especially if the European Research Group's belief that the TCA can be easily, and safely, repudiated, proves not to be true. And, from an EU point of view, the treaty is legally an association, a status which does not go well with Brexiteers' belief in the status of Britain on the global stage. It is surprising that so little attention has been given to such political implications of the TCA. They may turn out to be as significant as the limitations to the practical arrangements it contains.

Given this, and the likely future shape of the UK's relations with the EU, thinking more about Swiss practices, if not models, might have been worthwhile for Brexiteers. In fact, they have tended to look at things too much from a British perspective and not considered their wider context. In particular, they have overlooked the impact Brexit might have on third parties like Switzerland. This is despite the development of a wide-ranging set of trading arrangements developed to cover UK trade with Switzerland. And, not surprisingly, it has been the Swiss government which took the lead in creating such links to offset the disruption caused by Britain leaving the EU.

Equally, some Swiss ought to have read the TCA more carefully and objectively. Whether they will, over the long run, maintain their support or move closer to the mainstream may depend on events. However, the stress on sovereignty could again trump difficulties. There are many paradoxes still to unfold where Anglo-Swiss responses to Brexit are concerned. We still don't know if the UK is actually going down a Swiss road and, if so, where it might lead.

Note: This article gives the views of the author, not the position of EUROPP – European Politics and Policy or the London School of Economics. Featured image credit: [Pippa Fowles / No 10 Downing Street](#) (CC BY-NC-ND 2.0)
