

BRIEFING

EU-UK relations after Brexit

What the deal means for
universities

On 24 December 2020, the European Union and the United Kingdom concluded a Trade and Cooperation Agreement, which sets out the framework for cooperation as the United Kingdom has left the Union.

At the end of long and intense negotiations, this briefing aims to bring clarity to the new relationship and how universities in the European Union and the United Kingdom can continue to cooperate.

The new EU-UK relationship is governed by two agreements:

The [Withdrawal Agreement](#) defines how to manage the separation. It entered into force on 1 February 2020 at the beginning of the transition period. For universities, the most relevant parts concern the rights of EU citizens who lived in the UK and UK citizens who were in the EU before Brexit, and the participation of the UK in EU programmes like Horizon 2020 and Erasmus+.

The citizens and their families are guaranteed the same rights they had before the UK left the European Union: UK citizens who already lived in the EU before Brexit and EU citizens who already lived in the UK before Brexit will retain their right to live and work, and their social rights remain unchanged.

The Withdrawal Agreement also guarantees that the UK can continue to participate in projects under Horizon 2020 and Erasmus+ (2014-2020) as the UK agreed to pay its contribution until the end of the current programme generation. This means that ongoing projects with UK participation can be implemented as planned until their end. This also applies to UK institutions that are part of already-formed alliances under the European Universities Initiative.

The [Trade and Cooperation Agreement](#) (TCA) sets the framework for continued cooperation after Brexit. It provisionally entered into force on 1 January 2021, awaiting the final approval from the European Parliament. The TCA is mainly concerned with the trade of goods, which is less relevant for universities. However, it also covers areas that touch universities directly, such as UK participation in the new generation of EU programmes (2021-2027).

EU PROGRAMMES

The TCA includes the general principles for UK participation in EU programmes, such as the broad terms for the UK's financial contribution, provisions on audits and controls and termination of participation. The UK has the option to associate to EU programmes if the respective programme regulation allows for it. This is the case for the programmes that universities will use the most: Horizon Europe and Erasmus+. Association is not possible for structural funds and the European Defence Fund.

While the general framework in the TCA allows for association to Erasmus+, the UK has chosen not to associate to the new Erasmus+ Programme. This is a political decision by the UK government. Instead, the programmes under the EU's current Multiannual Financial Framework (2021-2027) that the UK has chosen for association are listed in a separate Protocol. They are Horizon Europe, Copernicus, EURATOM and ITER.

The TCA defines how the UK will contribute financially to the programmes. Generally, the UK will make a contribution according to a formula based on the relative size of the UK GDP to that of the EU. This guarantees a stable and predictable contribution to the programmes. If the UK systematically benefits more from a programme than it contributes, it will pay accordingly through a higher contribution.

Persons who cross the border between the EU to the UK as part of activities connected to an EU project in a UK-associated programme should have easy access to enter and reside in either the EU or the UK. The UK must also treat all EU citizens equally in this regard.

The UK can participate in the governance structures related to the programmes that it is associated to. It has observer status with no voting rights in the formal bodies and it can participate in various *ad-hoc* expert groups.

EU participants in projects in which the UK is associated to the programme, and are required to pay fees to UK institutions, must pay the same amount as UK citizens.

In practice, this means that cooperation on research projects under the Horizon Programme can continue as it did under Horizon 2020. The only major difference will be that the UK is excluded from the part of the European Innovation Council through which the EU buys equity in companies (the European Innovation Council Fund).

Concerning Erasmus+, the UK will not associate to the programme, and it becomes a non-associated third country. Erasmus+ does have some possibilities for non-associated third countries to participate in activities, but the details about how this will work for the new programme, starting in 2021, are not yet public.

TRADE IN SERVICES

The TCA includes private education as a tradeable service. However, individual countries have made exceptions for the operation of private education providers, which means that UK providers would need permits to operate in these countries and in some cases also be under the national quality assurance systems.

The Agreement does not set out a structure for the recognition of [professional qualifications](#). It includes “non-binding and non-exhaustive” guidelines for professional bodies and authorities that want to proceed with the recognition of professional qualifications in the future. However, the Withdrawal Agreement guarantees that citizens who were in the UK and in the EU before the separation will still have their professional qualifications recognised.

Recognition of academic qualifications are not an EU competence and will continue as before.

DATA

The TCA specifies that data sharing between the EU and the UK will continue as before for a maximum period of six months beginning on 1 January 2021. During that time, the EU will decide whether the UK adequately protects personal data so that this data can be shared between the EU (including the EEA countries) and the UK without further safeguards (an “adequacy decision”).

If there is no such decision after six months, transfer of personal data from the EU to the UK will require additional safeguards from the UK partners.

TRAVEL AND RESIDENCE

As part of the TCA, legal residents in the EU can enter the UK without a visa for short stays and vice versa.

For longer stays, EU citizens will have to obtain a UK visa using the UK point-based immigration system that has several options depending on whether the applicant is a student, graduate or researcher. More information can be found through [Universities UK](#).

UK students or researchers entering the EU will be covered by an [EU Directive](#) that facilitates access of researchers and students, among others, from third countries and sets common rules across the EU (with the exception of Denmark, which is not covered by the Directive).

Persons who want to study in the UK, and not participate in a project funded by an EU programme where the UK is associated, will pay international fees, which are considerably higher than those previously paid by EU citizens. Citizens who were residing in the UK before 31 December 2020, and their children, will still be eligible for UK home fees.

The European University Association (EUA) is the representative organisation of universities and national rectors' conferences in 48 European countries. EUA plays a crucial role in the Bologna Process and in influencing EU policies on higher education, research and innovation. Thanks to its interaction with a range of other European and international organisations, EUA ensures that the voice of European universities is heard wherever decisions are being taken that will impact their activities.

The Association provides unique expertise in higher education and research as well as a forum for exchange of ideas and good practice among universities. The results of EUA's work are made available to members and stakeholders through conferences, seminars, websites and publications.