

## **Scottish Government priorities for UK-EU negotiations: position paper**

### **Introduction**

This paper sets out the Scottish Government's priorities for UK-EU negotiations, in the context of the forthcoming rounds of discussion, which follow the agreement of the Common Understanding text at the UK-EU Leaders' Summit held in London on 19 May 2025.

The paper includes an assessment of the Summit outcomes as they relate to Scotland's strategic interests and Scottish Government priorities for UK-EU relations. It also sets out our priorities and proposals going forward, including our position on the participation of the devolved governments in the negotiations with the EU arising from the Summit.

### **Our position**

The Summit marked a welcome shift in tone and momentum in UK-EU relations, and the Scottish Government is committed to engaging constructively to rebuild closer cooperation with the EU across a range of areas, for the mutual benefit of people and businesses in Scotland, the UK, and the EU.

We also welcome the positive messages from UK Government about the scope to develop the relationship further in future. Nick Thomas-Symonds, UK Minister for the Constitution and EU Relations, said in [a speech in March](#) that: "The UK and EU's future will be defined by how we both tackle our shared challenges together."

He also said, in [a speech in September](#), that the UK Government is committed to working with the EU: "Ensuring that like-minded parties with strong social and environmental rules and strong rule of law can cooperate on collective endeavours."

We want to explore all opportunities to enhance and develop the people-to-people and business linkages between Scotland and the EU. As well as negotiating a close relationship in the coming months, we want to be ready to implement this in the most impactful and beneficial way possible. In areas like UK reassociation to the Erasmus+ programme, or development of a youth mobility scheme for young people to live and work here or in the EU, we see real opportunities to rebuild some of the connective tissue between our peoples which Brexit has sadly undermined. Our relationship with the EU also plays an important ongoing role in helping to protect and advance human rights in Scotland. UK membership of the European Convention on Human Rights (ECHR) and its domestic implementation in the Human Rights Act 1998 are fundamental to the UK-EU relationship and must continue.

The Scottish Government remains clear, however, that no agreement can restore the economic, social, and security benefits lost through Brexit in 2020 – or undo the significant harm that Brexit has caused to Scotland since then.

In 2016, people in Scotland voted decisively to remain in the EU. Public opinion has consistently been clear ever since: Brexit was a mistake. [YouGov polling in October 2025](#) for the Scottish Election Study found that if there were an EU referendum tomorrow, 63% of people in Scotland would vote to rejoin to EU, and just 21% would vote to stay out.

Likewise, a [More in Common survey in August 2025](#) found that only 24% of people in Britain say Brexit has been a success, and that if the Brexit referendum were held today, only 29% of people in Britain would vote to leave. And a [YouGov poll in January 2025](#) found that 67% of the British public say Brexit has been detrimental to the cost of living, 65% say that it has had a negative impact on the economy, and 64% say that it has been bad for British businesses.

Our position is unchanged: that Scotland's interests are best served by rejoining the EU as an independent member state. Short of that, we support rebuilding as deep and ambitious a partnership with the EU as possible, and oppose the UK Government's self-defeating red lines that rule out rejoining the Single Market, the Customs Union, and freedom of movement.

Dynamic alignment with EU law, and the related role of the European Court of Justice, feature in several parts of the Common Understanding text agreed at the Summit in May, and will be core to the framework for forthcoming negotiations with the EU. We welcome the potential for these discussions to pave the way for deeper reintegration in the future.

## **Scottish Government priorities**

We produced a series of detailed position papers ahead of the UK-EU Summit, and shared these with the UK Government and our wider partners. These set out clearly our key priorities for rebuilding closer cooperation with the EU across a broad range of areas:

- [Agrifood trading arrangements with the EU](#)
- [Closer energy and climate cooperation with the EU](#)
- [Erasmus+ reassociation](#)
- [Creative Europe reassociation](#)
- [Youth mobility agreement with the EU](#)
- [Law enforcement and criminal justice cooperation with the EU](#)
- [Addressing barriers to trade with the EU](#)

The Scottish Government was the only UK authority to publish position papers ahead of the Summit, and the papers were received positively and were influential with our partners. Our proactive engagement in Summit preparations on this basis aligned clearly with our Programme for Government commitments.

All seven position papers are available on the [Scottish Government website](#).

## **Assessment of Summit outcomes**

We have assessed the outcomes of the UK-EU Summit in May as they relate to Scotland's strategic interests and to the Scottish Government's priorities for UK-EU cooperation, as detailed in our position papers. On this basis, we consider that the Summit outcomes fall into three broad categories: positive commitments, partial progress, and no progress.

## **Summit outcomes: positive commitments**

Firstly, in some areas, the Common Understanding text includes **positive commitments** which align with our published position papers, and which we welcome. It is essential that negotiations in these areas now progress with urgency, so that all parties are able to benefit as soon as possible. In particular, we want to see swift action to:

### **Agree a UK-EU agrifood (sanitary and phytosanitary, or SPS) agreement**

We wish to see an SPS agreement with broad scope delivered quickly, with appropriate transitional arrangements, for the mutual benefit of producers and consumers in Scotland, the UK, and the EU, particularly in rural areas.

It is important that the details of the agreement reflect the interests of Scotland's farmers and food and drink producers. This should include recognising the distinctive Scottish context in relation to areas like innovation, and also taking account of the variability of climatic conditions and risks from climate change as well as the economic conditions which producers face. We also wish to see re-establishment of trade in seed potatoes with the EU that was halted by Brexit.

### **Agree the linking of the UK and EU emissions trading schemes (ETSs)**

We see clear benefits to linking the two schemes, including the potential to support a smoother transition to net zero, due to a larger pool of carbon credits, which should bring down the cost of decarbonisation and generate a more stable carbon price.

However, it is essential to preserve the joint governance model of the UK ETS – in which Ministers and Parliaments across the four UK nations have equal roles in decision-making – as this is key to safeguarding Scottish interests. Devolved governments must, therefore, be fully involved in setting negotiation priorities and shaping internal governance processes to uphold the integrity and effectiveness of the ETS.

Linking should also enable mutual exemptions for UK and EU exporters from the EU and UK Carbon Border Adjustment Mechanisms (CBAMs) respectively, and thus avoid unnecessary trade barriers for Scottish businesses. It is important that the UK Government acts with urgency to secure these exemptions by January 2026, when the EU CBAM is due to be fully implemented. If exemptions are not granted in time, mitigations must be put in place to help ease the administrative and financial burden to ensure Scottish business and trade activities are not exposed to avoidable costs and disruption.

### **Work towards UK participation in the EU internal electricity market**

Brexit has led to less efficient UK-EU electricity trading, [estimated by industry](#) to be adding significantly to energy costs. It is vital that more efficient arrangements are developed swiftly, and with the close involvement of devolved governments, in light of considerable devolved responsibilities expected to be at stake, including in relation to planning and consenting.

Any model must be consistent with our key priorities of protecting consumers, ensuring affordable electricity supplies, encouraging investment in net zero, and improving resilience.

## **Ensure future UK decision-shaping of EU rules respects devolved competence**

In relation to SPS, ETS, and electricity trading, the Common Understanding envisions both dynamic alignment with EU rules, and a future role for the UK in decision-shaping of EU rules. In these areas, it is important that relevant expertise is leveraged in the right fora, and in a way that respects devolved competence.

For example, in relation to an SPS agreement, this would include appropriate involvement in technical EU working groups in areas such as agriculture, fisheries and shellfish (i.e. the Standing Committee on Plants, Animals, Food and Feed), the European Food Safety Authority, and full access to the Rapid Alert System for Food and Feed. The UK should also seek participation in the European Food Security Crisis Mechanism. Agreement to early access to EU institutions would enable valuable cooperation sooner in areas such as horizon scanning, food crime, and food incidents.

## **Agree that the UK shall reassociate to Erasmus+**

We have called consistently for full UK reassociation to the EU's Erasmus+ programme, for the mutual benefit of people in Scotland, the UK, and the EU. Erasmus+ had a major positive impact in Scotland. Proportionally more students from Scotland took part in Erasmus+ than from any other country in the UK, and proportionally more EU students came to Scotland than anywhere else in the UK. The benefits of Erasmus+ reassociation extend beyond mobility – for example, it also presents strategically important opportunities for universities in Scotland and across the UK to become more closely involved in transnational alliances as part of the European Universities Initiative. The UK Government's replacement Turing Scheme clearly fails to match the breadth and scope of Erasmus+.

The agency which operates Erasmus+ in the UK should have a strong presence in Scotland, fully recognising the role of the Scottish Government in delivery of education in Scotland. Any contract awarded by the UK Government to a national agency must include explicit provisions that: demonstrate how it will give equal weighting to the education and skills priorities of the devolved governments alongside those of the UK Government; and acknowledge that the devolved governments are not merely stakeholders, and will play a formal and active role in quality assuring the agency's work.

## **Agree a "balanced youth experience scheme"**

We welcome the commitment to ensure renewed opportunities for young people to live, work and study across the EU and UK.

Youth mobility visa agreements are a standard part of the UK immigration system – the UK already has such agreements in place with thirteen countries and territories. It is important that any UK-EU agreement retains the flexibilities of those current youth mobility visa routes. We are keen that the scheme creates as much opportunity as possible for young people from Scotland to benefit from experience in the EU, and equally for young people from the EU to benefit from experience in Scotland. We encourage the UK Government to seek to ensure that any cap to the scheme is reflective of the level of demand and includes a review period to assess impact and demand.

## **Implement the UK-EU security and defence partnership**

We welcome the prospect of new opportunities for Scottish defence estates and businesses to contribute towards a defensively strong and united Europe.

We hope to see rapid progress on agreeing the terms for the UK to associate to the EU's Security Action for Europe (SAFE) instrument, which would create the potential for Scottish companies to play their part in contributing Europe's defence effort, drawing on the significant strengths of Scotland's defence sector.

### **Summit outcomes: partial progress**

Secondly, there were areas of **partial progress**, where the Common Understanding text commits to action, but in a way that falls short of the level of ambition we believe is needed.

We call on the UK Government to pursue stronger commitments in these areas at the next UK-EU Summit, or via the framework of the UK-EU Trade and Cooperation Agreement (TCA), including the upcoming TCA review process. These areas include:

### **Commitments to “dialogues” on business mobility and mutual recognition of professional qualifications (MRPQ), and tentative language on touring artists**

We wish to see progress on these priorities given structure and impetus – whether via new dialogues, relevant TCA fora, or the TCA review. It is also vital that we see the devolved governments being engaged meaningfully in these processes.

Scottish stakeholders have been clear: the ability to move easily across the EU for business travel is important. It is critical that the process for all Scottish professionals and sectors to travel in the EU is simplified, and that an agreement on business mobility is prioritised, to achieve transparency on entry and temporary stay and improved access to short-term visas.

This is vital, for example, for our creative sectors, where touring artists now face major barriers – in some cases, touring in the EU is no longer viable, due to additional costs and administrative complexity as a result of the need to acquire visas or work permits, as well as facing extra costs and complexity in transporting equipment. The impacts are significant, particularly for emerging artists. Touring artists from traditional and folk music backgrounds also play a significant ambassadorial role for Scotland's minority languages – maintaining connections with other European minority language communities and raising the profile of Gaelic and Scots, with economic and cultural impact.

Article 126 of the TCA commits the EU and UK to endeavour, where appropriate, to review the activities of short-term business visitors with a view to agreeing possible improvements in the mutual interest. At the very least, this TCA commitment should be implemented.

Another focus must be improving MRPQ, driven by regulator-to-regulator dialogue, where there is sectoral interest. It is important here to recognise the unique devolved landscape and the competence of the Scottish Parliament in the regulation of a number of professions.

The UK Government committed very clearly in its 2024 election manifesto to prioritising both touring artists and MRPQ – it must now deliver on those promises.

## **Commitments to “exchanges” on new energy technologies, including hydrogen and carbon capture, utilisation and storage (CCUS)**

We require clarity on how the exchanges will be configured, and how devolved governments will be meaningfully engaged here. Scotland has the potential to play a pivotal role in Europe’s energy transition and energy security for decades to come. To unlock this potential, it is critical that the UK collaborates closely with the EU on key new technologies, including hydrogen and CCUS, to ensure coordination on regulation, research and innovation, and cross-border infrastructure.

Scotland has the resources, people, and ambition to become a world leader in the production of reliable, competitive, and sustainable hydrogen. To enable this, the UK needs to align with EU hydrogen regulations and rules for certification of renewable and low-carbon hydrogen, to enable smooth trade and transportation of hydrogen and hydrogen products between Scotland, the UK, and Europe. We also continue to support the case for direct pipelines between Scotland and Europe as part of hydrogen supply corridors being explored under the European Hydrogen Backbone initiative. In addition, Scotland has the infrastructure, skills, and storage capacity to make a significant, lasting contribution to decarbonisation across Europe via CCUS. Achieving this will require the UK-EU ETS linking, as well as dialogue to explore how best to support Scottish providers in obtaining carbon storage permits.

To enable structured engagement in the areas identified above, one option is to establish new working groups under the relevant Specialised Committees (SC) within the framework of the TCA, with a specific remit to drive work on proposals for closer UK-EU working, including regulatory cooperation. We propose such structures should be set up and asked to report in time for the next UK-EU Summit, expected in Spring 2026. These new working groups should cover key areas including:

- business mobility (including Article 126 commitments) and MRPQ, under the SC on Services, Investment and Digital Trade
- renewable hydrogen and CCUS, under the SC on Energy

## **Limited commitments on closer law enforcement and criminal justice cooperation**

Cooperation between Scotland and the EU is essential to keep the people of Scotland safe, and we welcomed the commitments in the Common Understanding to deepen some aspects of justice and security cooperation with the EU.

However, we continue to call for improved cooperation on real-time arrest warrant sharing, a comprehensive UK-EU prisoner transfer agreement, and strengthened strategic dialogue between key Scottish, UK, and EU partners on justice and home affairs issues. Achieving progress on these topics is important, and would empower Scottish justice partners to more effectively combat criminality that is increasingly sophisticated and international.

Alongside those asks, it remains of paramount importance that UK cooperation with the EU respects both the fundamental rights set out in the European Convention on Human Rights (ECHR) – upon which the law enforcement and criminal justice cooperation aspects of the UK-EU relationship depend – and high data protection standards, including the importance of securing a renewed EU data adequacy decision.

## **Summit outcomes: no progress**

Thirdly, there were areas of **no progress**, where the Common Understanding text is silent on key Scottish Government priorities. These major gaps include:

### **No reference to addressing wider barriers to trade beyond agrifood, energy and climate**

Brexit is causing major economic harm to Scotland. Access to our greatest international trading market has been reduced sharply, with increased regulatory and administrative burdens, costs, delays, and complexity imposed on Scottish businesses.

If economic growth is a top priority for the UK, it makes no sense for us to be outside of the EU Single Market and the Customs Union, and without the benefits of Freedom of Movement. However, until this changes, it is important to explore other ways to lessen the damage of Brexit barriers to trade. Areas where we continue to call for progress include: negotiating a Mutual Recognition Agreement (MRA) on conformity assessment, exploring UK participation in the pan-Euro-Med (PEM) Convention on rules of origin, pursuing opportunities for closer UK-EU regulatory cooperation, and addressing inconsistent customs processes for traders.

Again, we believe there is value in considering new structures to drive progress in these areas – for example, a new working group under the TCA SC on Technical Barriers to Trade, to explore options for a UK-EU MRA on conformity assessment.

### **No reference to UK association to wider programmes beyond Erasmus+**

The previous UK Government decided during the Brexit process to end UK participation in a wide range of EU programmes. With no option for Scotland to participate in its own right, this decision ended Scottish involvement in those programmes.

This decision continues to have profound impacts in Scotland. For example, the ending of our participation in the Creative Europe programme has resulted in major losses for our cultural and creative sectors – in terms of funding, as well as opportunities for cross-border collaboration and innovation.

The UK Government should work closely with partners to explore options for participation in programmes set out in the EU's Multiannual Financial Framework for 2028-2034. Priorities should include Horizon Europe (FP10), the European Competitiveness Fund, European Territorial Cooperation, as well as the Creative Europe successor programme, AgoraEU.

Beyond those significant gaps in the Summit outcomes, we were also disappointed that the UK Government reached an agreement on fisheries, an area which is vital for Scotland and within devolved competence, without meaningful dialogue with Scottish Ministers. Alongside this outcome, the UK Government announced a Fishing and Coastal Growth Fund, with the stated intent to “revitalise the fishing sector and coastal communities right across the UK”. However, the UK Government's approach to fund allocation ignores the size and significance of Scotland's fishing industry, and we continue to call for this to be revisited urgently.

## Next steps

The Scottish Government calls on the UK Government to work with the EU to **progress detailed negotiations urgently in priority areas** identified in the Common Understanding, including in relation to SPS, ETS, electricity trading, Erasmus+ and youth mobility.

We call on the UK Government to **ensure structure and impetus in engagement with the EU** that sits outwith those formal post-Summit negotiating tables, and to guarantee meaningful opportunities for devolved government involvement, in light of devolved interests at stake.

And moving forward, we call on the UK Government to **use future UK-EU Summits, as well as the formal structures and provisions of the TCA, including the TCA review, to continue to pursue closer cooperation in a wider range of areas** – including, for example, to press for more ambitious steps forward on:

- addressing wider barriers to trade in goods and services
- closer cooperation on energy and climate
- deeper cooperation on law enforcement and criminal justice
- UK reassociation to wider EU programmes
- exploring UK participation in EU fora where this could deepen the relationship and deliver on improved regulatory alignment, economic growth, and/or social cohesion – for example, considering UK membership of the European Environment Agency
- improving opportunities for UK citizens to work in EU institutions, and vice versa

Across all of this work, we urge the UK Government:

- **to be more ambitious about the scope and the outcomes sought in negotiations** – in particular, we call for a step-by-step plan to move beyond unnecessary red lines, towards closer reintegration with the Single Market and Customs Union over time
- **to find the right balance in moving from negotiated outcomes to delivering benefits** – at a pace that meets the needs of the public and business
- **to engage closely and meaningfully with devolved governments** – in line with the core principles set out below – and to take a similar transparent and consultative approach to that taken by the EU with its Member States

## Principles for devolved government involvement

To ensure the full and proper involvement of the devolved governments in the forthcoming phase of negotiations with the EU, we reiterate the expectations set out by Cabinet Secretary Angus Robertson to UK Minister for the Constitution and EU Relations, Nick Thomas-Symonds in June 2025, i.e.:

- **Consultation:** devolved governments have the opportunity to formally comment on UK negotiating mandates, before they are agreed by UK Cabinet
- **Transparency:** the UK Government shares emerging negotiating texts with devolved governments at meaningful points in the negotiating process
- **Access:** devolved government officials have appropriate ‘live’ access to the talks for relevant subject areas, whether ‘in the room’ or via some kind of ‘room next door’ model, using named policy leads for each area of negotiation

These core principles should underpin the governance of the negotiation process.

It is vital that the UK Government recognise clearly throughout forthcoming negotiations that the Scottish Government has devolved competence in many of the areas of focus – including SPS, ETS, and law enforcement. Additionally, the nature of the UK as a multi-jurisdictional state means the UK Government must consider impacts across the different devolution settlements and legal systems of the UK to ensure any agreement negotiated with the EU is implemented effectively. The UK Government must ensure meaningful engagement with devolved governments not only in areas of devolved competence, but also where reserved policies have significant overlap with devolved responsibilities or a devolved delivery element.

We also underline that implementation of agreements must respect devolved responsibilities of the Scottish Government and Scottish Parliament under the devolution settlement. Legislation to enable the agreements into effect should have appropriate powers for Scottish Ministers in devolved areas, and safeguards for the Scottish Parliament – for example, statutory consent requirements when GB or UK wide action is proposed.

Devolution was substantially weakened by the approach of the previous UK Government to Brexit. In particular, the UK Internal Market Act (IMA) undermined the Scottish Parliament's ability to use its powers to pursue devolved social and economic objectives in Scotland for the people to which it is accountable.

The policy rationale for the IMA offered by this and the previous UK Government is now significantly altered, as dynamic policy alignment with EU law radically reduces the scope for policy divergence which could carry a market impact. Similarly, there are a range of SPS areas covered by Common Frameworks where dynamic EU alignment will radically reduce, if not wholly remove, the scope for substantive policy divergence that would carry a market impact, or engage market access provisions of the IMA.

There will of course continue to be a need for governments to work together to agree UK input into the development of future EU rules in devolved areas. It is important to ensure that relevant policy areas are not subject to overlapping but distinct regulatory regimes, in the form of both the IMA and dynamic EU alignment.

## **Conclusion**

The Scottish Government stands ready to engage positively and constructively in the forthcoming negotiations with the EU. We will continue to advocate for Scotland's interests, supporting as deep and ambitious a partnership with the EU as possible, whilst pressing for an inclusive and transparent process.

Where the UK Government has clear and ambitious objectives that accord with our own, we will be ready to cooperate closely with the UK Government, other devolved governments, and wider partners, and proactively use our own networks, reputation and expertise in key areas, in order to secure positive outcomes.