



DEBATE PACK

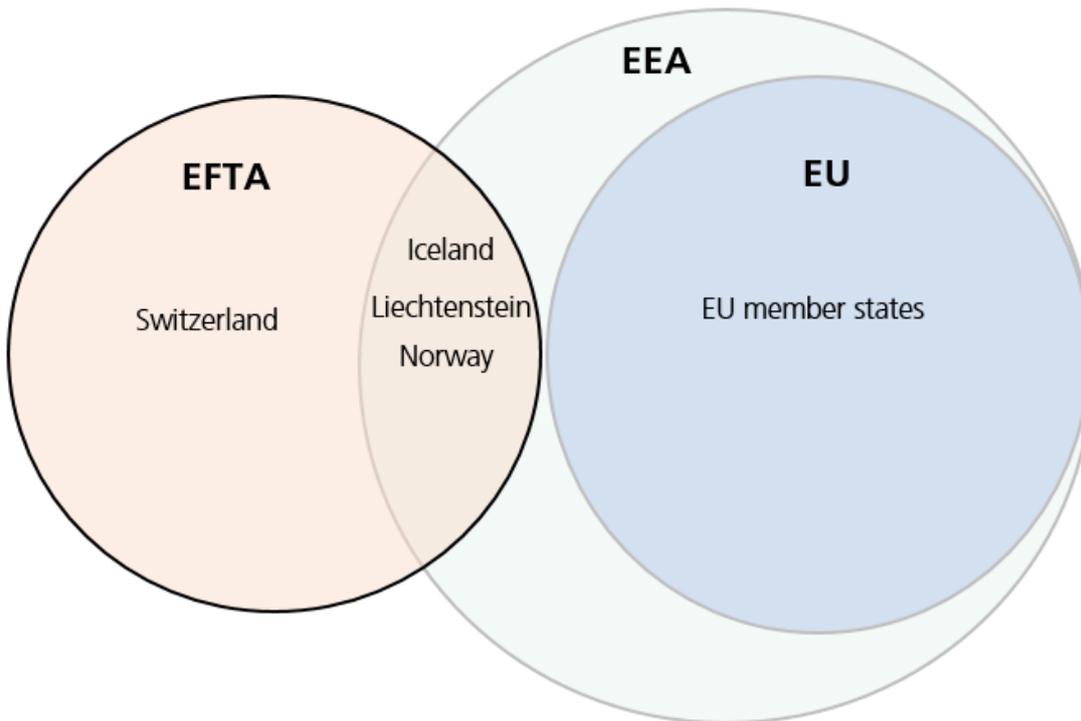
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The European Free Trade Association

By
Chris Rhodes,
Matthew Ward,
Vaughne Miller,
Melanie Gower

Summary

This briefing has been prepared in advance of a debate on the European Free Trade Association, which will take place in Westminster Hall at 9.30am on Wednesday 7th February 2018, and will be led by Stephen Hammond MP.



The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

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1. Background

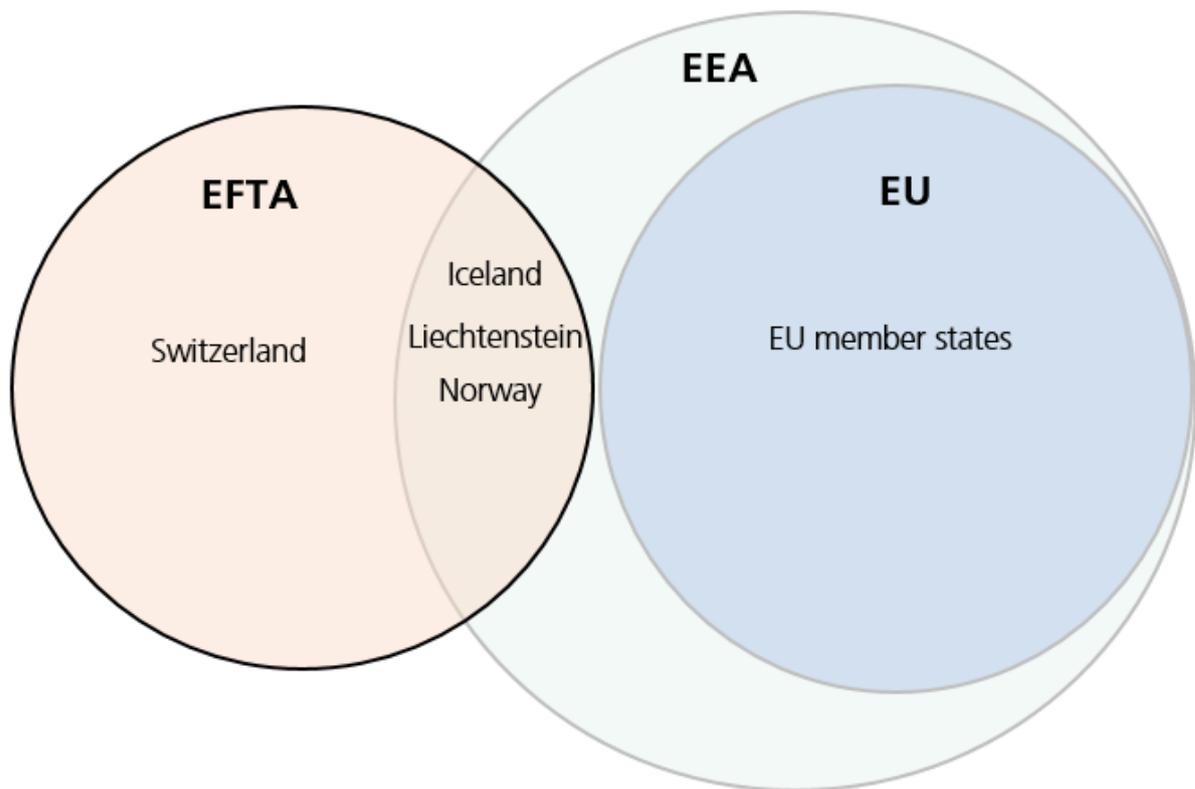
1.1 What is EFTA?

The [European Free Trade Association \(EFTA\)](#) is an intergovernmental group of countries that seeks to promote free trade and economic integration between its members.¹

EFTA has four members: Iceland, Liechtenstein, Norway and Switzerland.

Iceland, Liechtenstein and Norway are also members of the European Economic Area (EEA), along with all members of the European Union.

Switzerland is unique because it is a member of the EFTA but not a member of the EEA.



¹ EFTA website, [About us](#)

EFTA was established in 1960 by the [Stockholm Convention](#) with seven founding members - Austria, Denmark, Norway, Portugal, Sweden, Switzerland and the United Kingdom. Five of the seven founding states have left to join the EU – the UK and Denmark in 1972, Portugal in 1985 and Sweden and Austria in 1995. Finland became a full member of the EFTA in 1986 and left to join the EU in 1995.

Timeline of EFTA membership

1960	EFTA founded by Austria, Denmark, Norway, Portugal, Sweden, Switzerland and the United Kingdom
1961	Finland becomes an associate member
1970	Iceland becomes a full member
1972	The UK and Denmark leave, prior to joining the EEC in 1973
1985	Portugal leaves, prior to joining the EEC in 1986
1986	Finland becomes a full member
1991	Liechtenstein becomes a full member
1995	Austria, Finland and Sweden leave EFTA to join the EU
2009	Iceland applies for EU membership
2015	Iceland withdraws application for EU membership

Source: EFTA

1.2 Relationship with EU

EEA

The relationship between EEA countries (Iceland, Liechtenstein, Norway and EU member states) is governed by the [EEA agreement](#) which came into force in 1994.

The EEA agreement extends the EU single market – and its ‘four freedoms’, of goods, services, people and capital – to include Norway, Iceland and Liechtenstein.

The EEA agreement does not cover the following areas of EU policy:²

- Common Agriculture and Fisheries Policies (although the Agreement contains provisions on various aspects of trade in agricultural and fish products);
- Customs Union;
- Common Trade Policy;
- Common Foreign and Security Policy;
- Justice and Home Affairs (even though the EFTA countries are part of the Schengen area);
- Monetary Union (EMU).

Switzerland

Switzerland is not in the EEA; its relationship with the EU is governed by a series of bilateral agreements. More information on these agreements is available on the [Swiss government’s website about its relationship with the EU](#).

(The trade and immigration relationships between the EU and EFTA are discussed in more detail below).

² EFTA, [EEA agreement](#)

1.3 EFTA Institutions

EFTA Council: EFTA's highest governing body. Delegates from each EFTA State consult, negotiate and decide on EFTA policy issues. It usually meets eight times a year at ambassadorial level (heads of permanent delegations to EFTA) and twice a year at ministerial level. The Chairmanship rotates every six months between the four EFTA States. Decisions are taken by consensus.

The Council discusses substantive matters, especially relating to the development of EFTA relations with third countries and the management of free trade agreements, and keeps under general review relations with the EU third-country policy and administration. It has a broad mandate to consider possible policies to promote the overall objectives of the Association and to facilitate the development of links with other states, unions of states or international organisations. The Council also manages relations between the EFTA States under the EFTA Convention.³

The EFTA States jointly negotiate free trade agreements (FTAs) with partners outside the EU, currently numbering 27 FTAs covering 38 countries and territories. EFTA has also signed Joint Declarations on Cooperation with a number of countries before going on to negotiate an FTA.⁴

EFTA Committees: Under the Council there is a sub-structure of committees.

- Committee on Third Country Relations
- Committee on Customs and Origin Matters
- Committee on Technical Barriers to Trade
- Budget Committee
- Specialist committees set up under the [EFTA Convention](#) on seeds, organic agriculture, mutual recognition, movement of persons, land transport and public procurement.

EFTA Secretariat: headed by a Secretary-General in Geneva, who is assisted by two Deputy Secretaries-General, one in Geneva and another in Brussels, and by an Assistant Secretary-General, based in Brussels. The four posts are appointed by the EFTA Council and shared between the Member States.

The Geneva Headquarters deals with the management and negotiation of free trade agreements with non-EU countries, and provides support to the EFTA Council. The Brussels Secretariat supports the management of the EEA Agreement and helps the Member States to prepare new legislation for integration into the EEA Agreement. The Secretariat also helps Member States in their input to EU decision making. The two posts work together to implement the EFTA Convention's provision on the intra-EFTA Free Trade Area.

³ EFTA website - [Council](#)

⁴ For information on EFTA trade relations, see EFTA website – [trade agreements](#).

EFTA Board of Auditors: the auditing authority for the EFTA Secretariat, the EFTA Surveillance Authority and EFTA Court; also a contact point for the European Court of Auditors regarding the control and auditing of EEA EFTA contributions to the EU budget.

EFTA Consultative Committee: a forum for trade unions and employers' organisations in the EFTA states. It also provides a link between social partners in EFTA and the EU.

EFTA Parliamentary Committee: forum for parliamentarians in the four EFTA States. Since 1981 it has held regular meetings with Members of the European Parliament (MEPs) and this relationship was institutionalised through the formation of the EEA Joint Parliamentary Committee (see below) when the EEA Agreement entered into force in 1994.⁵

EFTA Statistical Office: based in Luxembourg, it contributes to the development of an integrated European Statistical System.⁶

EEA EFTA institutions

EEA EFTA States implement a lot of EU legislation but they are not members of the EU and are not subject to the direct jurisdiction of the European Commission or the Court of Justice of the European Union. Separate EEA EFTA bodies have been set up to parallel these EU bodies. Switzerland is not part of the EEA Agreement.

EEA Joint Committee: monitors the development of CJEU and EFTA Court case law. Judgments of these Courts are transmitted to the EEA Joint Committee, which acts to preserve the homogeneous interpretation of the EEA Agreement.

Standing Committee of EFTA States: a forum in which the EEA EFTA States consult one another and arrive at a common position before meetings in the EEA Joint Committee. It consists of the Ambassadors to the EU of Iceland, Liechtenstein and Norway, observers from Switzerland and the EFTA Surveillance Authority.

EEA Joint Parliamentary Committee: an advisory body of members of the national parliaments of the EEA EFTA States and Members of the European Parliament (MEPs). It is not directly involved in the EEA decision-making, but monitors and scrutinises EEA-relevant EU policies and decisions adopted in the EEA Joint Committee.

EEA Consultative Committee: an advisory body of members of the EFTA Consultative Committee and the European Economic and Social Committee. It aims to strengthen contacts between social partners on both sides and to help raise the profile of economic and social aspects of the EEA.

⁵ The [EFTA website](#) notes: "since the entry into force of the EEA Agreement, there have in fact been two EFTA Parliamentary Committees: the CMP, which comprises all four Member States and deals with matters related to third countries outside the EU, and the Committee of Members of Parliament of the EFTA States (MPS), which deals with EEA-related matters and forms the EFTA side of the EEA JPC. Switzerland has observer status in the MPS".

⁶ See EFTA website – [statistics](#).

EEA EFTA Forum: an informal body of elected representatives from local and regional authorities in EEA matters. It works closely with other EEA EFTA bodies and has links with the EU's Committee of the Regions.

1.4 EFTA's budget and contributions to the EU

EFTA's budget was £16.2 million in 2016. Norway contributed £9.0 million and Switzerland £6.7 million.⁷

EFTA countries also make contributions to the EU Budget.

EEA

EEA EFTA countries make financial contributions to the EU in two ways. Firstly, they contribute to broad EU regional policy goals by providing grants to some EU Member States to "reduce social and economic disparities in the EEA". The three countries provide funds through 'EEA Grants'. Norway alone provides 'Norway Grants'.

Secondly, EEA countries contribute to the costs of the EU programmes in which they participate under the EEA Agreement, largely in proportion to their share of GDP. The EEA states have also committed to second national experts to the Commission as an 'in kind' contribution to these programmes.

Norway, which by virtue of its relative size provides the vast majority of EEA contributions, provided an estimated €778 million in 2015, or €151 per person. Norway received around €182 million of spending from the EU, leaving a net contribution of €597 million, which is equivalent to €116 per person. The UK's net contribution was around €214 per person in 2015.

Switzerland

Like the EEA EFTA countries, Switzerland contributes to both enlargement costs 'to reduce economic and social disparities', and the EU programmes in which it participates under its array of bilateral agreements. Its enlargement contributions are provided under multiyear frameworks. Switzerland provided an estimated €322 million in 2015, or €39 per person. Switzerland received around €237 million of spending from the EU, leaving a net contribution of €85 million, which is equivalent to €10 per person in 2015.

1.5 Trading arrangements

Trade statistics

The majority of EFTA's trade is with the EU. In 2016:

- EFTA countries imported €229.5 billion of goods and services, of which 69.3% was from EU member states
- EFTA countries exported €227.9 billion of goods and services, of which 61.5% was to EU member states.
- Owing to the customs union between Switzerland and Liechtenstein, trade data for these countries are recorded jointly;

⁷ EFTA, [EFTA Annual Report 2016](#), p49

combined Switzerland and Liechtenstein accounted for 70% of EFTA's exports and 69% of EFTA's imports.

- Norway accounted for 29% of EFTA's exports and 28% of imports; Iceland accounted for 1% of exports and 2% of imports.

Trade between EFTA and the EU

EEA members are part of the EU Single Market which means that goods and services can be traded tariff-free between Norway, Iceland, Lichtenstein and EU member states (with some exceptions for fisheries and agriculture).

Switzerland is not a member of the EEA or the Single Market. The trade of goods and services between Switzerland and EU member states is governed by a number of bilateral agreements. Switzerland has tariff-free access to the EU market for goods but more limited access to the single market in services.

Trade between EFTA and non-EU countries

Members of EFTA are not members of the EU Customs Union which means that they are not party to any of the trade agreements signed by the EU with non-EU countries. EFTA countries are free to sign trade deals with non-EU countries.

Generally, EFTA negotiates as a bloc to agree trade deals. Currently EFTA has 27 free trade deals, which are [listed on the EFTA website](#). EFTA are in ongoing negotiations with a further 6 countries about new trade deals.

EFTA members are able to negotiate bi-lateral trade deals with non-EFTA countries. For example, Switzerland has a trade agreement with China.⁸

Further information on trade deals between EFTA and non-EU countries is available in the European Parliament Research Service paper: [Free trade agreements between EFTA and third countries: An overview](#) (published April 2016).

UK trade with EFTA

UK trade with EFTA countries over the last decade is shown below.

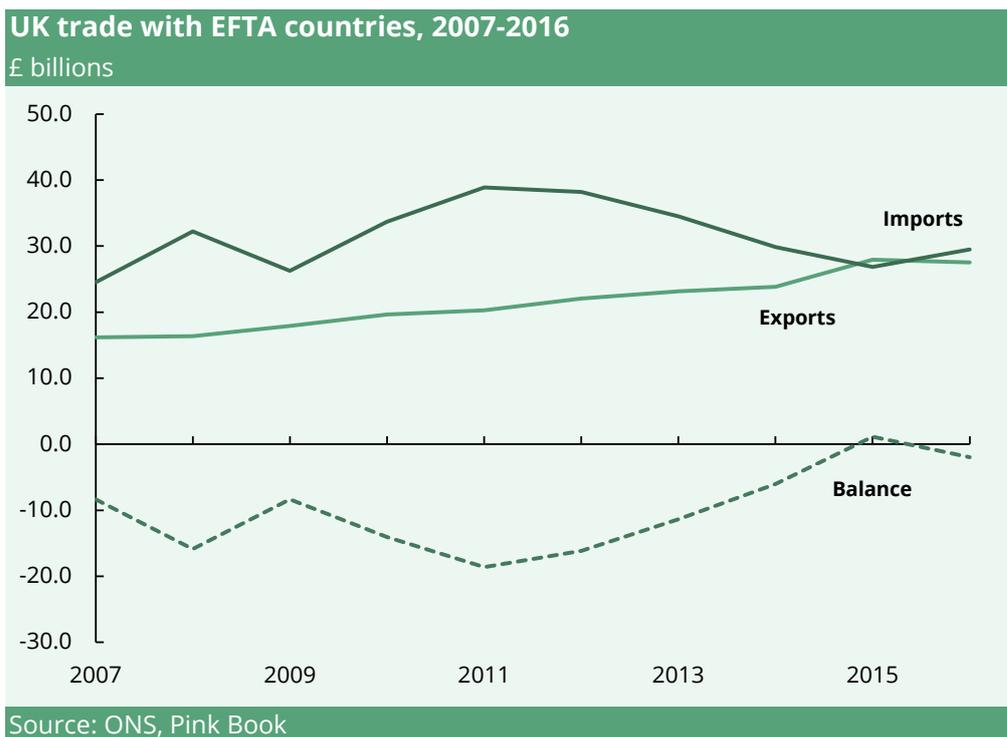
UK trade with the European Free Trade Association, 2007-2016

£ billions, goods and services

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Exports	16.2	16.4	17.9	19.6	20.3	22.1	23.1	23.8	28.0	27.5
Imports	24.5	32.2	26.2	33.7	38.9	38.2	34.5	29.9	26.8	29.5
Balance	-8.4	-15.9	-8.3	-14.0	-18.6	-16.1	-11.4	-6.0	1.1	-2.0

Source: ONS, Pink

⁸ Swiss Government, [China-Switzerland Free Trade Agreement](#)



The UK has recorded a trade deficit with EFTA countries in all but one of the last ten years – the largest was £18.6 billion in 2011.

While the UK has consistently recorded trade surpluses with Switzerland and Liechtenstein, it has consistently recorded trade deficits with Iceland and Norway.

In 2016, 76.3% of the UK's exports to EFTA countries were to Switzerland, followed by Norway at 20.6%, Iceland at 2.9% and Liechtenstein at 0.2%.

50.5% of the UK's imports from EFTA were from Norway, followed by Switzerland at 46.6%, Iceland at 2.8% and Liechtenstein at 0.2%.

UK trade with the EFTA, 2016

£ millions, goods and services

	Exports	Imports	Balance
Iceland	786	837	-51
Liechtenstein	60	40	20
Norway	5,676	14,885	-9,209
Switzerland	20,988	13,730	7,258
Total EFTA	27,510	29,492	-1,982

Source: ONS, Pink Book

Overall, EFTA accounted for 5% of the UK's exports in 2016 (compared with 43% for the EU) and 5% of the UK's imports (compared with 54% for the EU).

UK trade balance with EFTA member states, 2007-2016

£ millions, goods and services

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Iceland	-132	-143	-347	-212	-232	97	-243	-219	-209	-51
Liechtenstein	-63	-42	-12	72	75	70	17	37	32	20
Norway	-10,253	-18,213	-12,075	-16,483	-21,830	-19,088	-14,972	-10,803	-6,745	-9,209
Switzerland	2,096	2,530	4,096	2,579	3,359	2,788	3,814	4,962	8,058	7,258
Total EFTA	-8,352	-15,868	-8,338	-14,044	-18,628	-16,133	-11,384	-6,023	1,136	-1,982

Source: ONS

1.6 Immigration

EEA

The EEA Agreement [includes EU policy on the free movement of persons](#). Nationals of the EEA Member States (Iceland, Norway and Liechtenstein) have the same free movement rights across the EU/EEA as EU citizens (and vice versa).

However, Article 112 of the EEA Agreement allows the parties (any EEA country) to unilaterally take appropriate “safeguard measures”, which could potentially include temporary restrictions on immigration, in response to “serious economic, societal or environmental difficulties of a sectorial or regional nature liable to persist”.⁹

Liechtenstein’s “sectoral adaptations” agreement

Liechtenstein has negotiated a special agreement with the EU, known as the ‘Sectoral Adaptations’, which enables it to apply a quota system to control the number of EEA citizens given permission to reside in the country. The agreement is based on a recognition of Liechtenstein’s ‘specific geographic situation’, namely ‘that Liechtenstein has a very small inhabitable area of rural character with an unusually high percentage of non-national residents and employees. Moreover, it acknowledges the vital interest of Liechtenstein to maintain its own national identity.’ The arrangements are subject to review every five years (most recently, in 2014/15).¹⁰

Switzerland

Switzerland has a 2002 [free movement agreement](#) with the EU which is similar to the free movement arrangements for Member States under the EU Treaties.

Switzerland voted in a 2014 referendum to impose ceilings and annual immigration quotas from 2017. The European Commission said at the time that if implemented, the result would breach Switzerland’s free movement agreement with the EU. Breaching the free movement accord could have “put at risk the country’s entire series of bilateral treaties with the EU under the ‘guillotine clause’ — if one agreement is terminated, the other agreements would cease to apply”.¹¹

In late 2016 the Swiss Parliament agreed to a compromise law, under which Switzerland would do everything it could to use local labour, by, for example, advertising jobs at regional job centres, before recruiting outside Switzerland. If such actions were not enough, the Government could use more restrictive measures, but without immigration quotas. In late December 2016 the European Commission President was reported as welcoming the progress made, and saying that the Commission would closely monitor the implementation of the compromise law.¹²

⁹ [EEA Agreement, Article 112, p37](#)

¹⁰ European Commission, [EU Commission Communication](#) (COM(2015) 411 final)

¹¹ European Parliament Research Service fact sheet 09/2016, [The European Economic Area \(EEA\), Switzerland and the North](#).

¹² EurActiv, 23 December 2016, [Juncker hails progress in EU-Swiss relations after immigration law](#).

For further information, please see IPPR, [Beyond free movement? Six possible futures for the UK's EU migration policy](#), July 2017

1.7 Government's position

The government has stated that joining the EEA or EFTA is not one of its aims after the UK leaves the EU.

In her [Florence Speech in September 2017](#), the Prime Minister stated that:

...One way of approaching [the question of the post-Brexit trade relationship between the UK and the EU] is to put forward a stark and unimaginative choice between two models: either something based on European Economic Area membership; or a traditional Free Trade Agreement, such as that the EU has recently negotiated with Canada.

I don't believe either of these options would be best for the UK or best for the European Union...

In response to a [Parliamentary question](#) in November 2017, Robin Walker, Minister at the Department for Exiting the European Union ruled out joining EFTA:¹³

[After leaving the EU]...The UK will not seek a model already enjoyed by other countries. European Economic Area membership would, for example, mean the UK having to adopt in future new EU rules over which we will have little influence and no vote. As such, we will not be seeking to join EFTA in order to remain party to the EEA Agreement. We will instead pursue a new, ambitious economic partnership.

¹³ [Parliamentary Question 112398 \[on EFTA\] 10 November 2017](#)

2. Press Articles

[We need to take a serious look at Efta](#)

Stephen Hammond

The Times, 18 January 2018

[Detente over post-Brexit civil disputes in Europe](#)

Jonathan Ames

The Times, 31 August 2017

[Britain cannot escape the long arm of European law: Though the government may pretend otherwise, the European Court of Justice will have a role after Brexit](#)

The Economist, 26 August 2017

[The answer to Brexit turmoil is staring us in the face: Before the EEC, Britain was part of Efta. Returning into its arms would solve many of the seemingly intractable problems posed by Brexit](#)

Christopher Whelan

The Guardian, 24 August 2017

[The six flavours of Brexit: The EU offers many menus, from Norwegian to Turkish. But there is no à la carte option](#)

The Economist, 22 July 2017

[Could the UK rejoin the European Free Trade Association \(EFTA\) after Brexit?](#)

David Phinnemore

The Conversation, 19 July 2017

[Iceland opens door for UK to join EFTA](#)

Szu Ping Chan

Daily Telegraph, 15 July 2017

[UK considers potential shortcut on trade deals post-Brexit: Associate membership of European Free Trade Association could give UK access to trade deals while it negotiates its own](#)

Patrick Wintour

The Guardian, 2 July 2017

[This is what a Norway-style soft Brexit might actually look like: EFTA members all benefit significantly from their own special arrangements with the European Union. There is no reason why Britain cannot follow suit](#)

Oz Ozkaya

The Independent, 21 June 2017

[The EFTA countries show how hard Brexit will be for Britain](#)

The Economist, 15 April 2017

[Rejoin the free trade club on Europe's fringe, MPs urge May](#)

Marcus Leroux

The Times, March 7 2017

3. Parliamentary Material

3.1 Written questions

[Department for Exiting the European Union: European Free Trade Association: Written question - 112398](#)

Asked by John Stevenson

Asked on 10 November 2017

To ask the Secretary of State for Exiting the European Union, whether the Government has discussed with the European Free Trade Association the UK rejoining that association.

Answered by Mr Robin Walker

Answered on: 21 November 2017

As the Government has made clear, when we leave the EU, we will be leaving the Single Market. The UK will not seek a model already enjoyed by other countries. European Economic Area membership would, for example, mean the UK having to adopt in future new EU rules over which we will have little influence and no vote. As such, we will not be seeking to join EFTA in order to remain party to the EEA Agreement. We will instead pursue a new, ambitious economic partnership.

[Department for International Trade: European Free Trade Association: European Free Trade Association: Written question - 106747](#)

Asked by Keith Vaz

Asked on 09 October 2017

To ask the Secretary of State for International Trade, what discussions have been had with the EFTA states on the UK continuing with such an agreement after the UK leaves the EU.

Answered by Greg Hands

Answered on 17 October 2017

The government is committed to seeking continuity in its current trade and investment relationships, including those covered by EU Free Trade Agreements or other EU preferential arrangements.

[Department for Exiting the European Union: European Economic Area: European Economic Area: Written question - HL6164](#)

Asked by Lord Green of Deddington

Asked on 20 March 2017

To ask Her Majesty's Government whether an application by a country to become party to the EEA Agreement requires the agreement of each individual EU member state or of the Council of the EU; and, if the latter, whether the matter would have to be decided by unanimity or by qualified majority.

Answered by Lord Bridges of Headley

Answered on 04 April 2017

To become party to the European Economic Area (EEA) Agreement a State must first be in either the EU or European Free Trade Association (EFTA). Applications are made to the EEA Council leading to an agreement which is subject to unanimous agreement and subsequent ratification by all Contracting Parties.

As the Prime Minister has made clear, we will not be remaining a member of the Single Market and do not intend to rejoin the EEA.

3.2 Oral questions

Negotiation Outcomes

[HC Deb 1 February 2018, c 957](#)

Antoinette Sandbach (Eddisbury) (Con): What steps his Department is taking to plan for different outcomes in the negotiations on the UK leaving the EU. [903663]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): Across the Government, we are planning for all outcomes, including the unlikely scenario in which no mutually satisfactory agreement can be reached. Given the success that we have had in securing an agreement in the first phase of negotiations, we are confident that we will go on to reach a swift agreement on an implementation period and a mutually beneficial future partnership with the EU. We approach the negotiations anticipating success and a good deal for both the UK and the EU.

Antoinette Sandbach: Given DExEU's propensity to rubbish the Government's own research, will the Minister commission the independent Office for Budget Responsibility to model the budgetary and economic impacts of the four departure options—World Trade Organisation rules, a Canada-style deal, the Government's free trade agreement proposal and joining the European Free Trade Association—and then release this modelling to Parliament?

Mr Baker: As my hon. Friend knows, the OBR's responsibilities are set out in legislation, and we do not have any plans to change them. I am glad that she mentions EFTA. A number of colleagues have raised EFTA with me. It would be important to have a further debate on EFTA if she would like to table one, because I would like to hear from colleagues what problems they believe that EFTA would solve in relation to our relations with the European Union, given that Swiss bilaterals have been ruled out and we are looking for our own bilateral relationships. We do not propose to join the European Economic Area, which would be a bad deal for the UK.

Government Negotiations

[HC Deb 7 September 2017, c 296](#)

John Stevenson (Carlisle) (Con): What steps his Department is taking to ensure a flexible approach in the Government's negotiations on the UK leaving the EU. [900646]

The Secretary of State for Exiting the European Union (Mr David Davis):

Both sides in the negotiation are clear about the fact that we want to achieve the best possible outcome and the strongest possible partnership. We have said repeatedly that, to achieve that end, both sides must demonstrate a dynamic and flexible approach to negotiations. In papers published by the Government, for instance, we have made it clear that we stand ready to protect the voting rights of EU nationals living in the UK. There will be give and take as the negotiations progress, but the destination is clear: a deep and special partnership that sees both parties emerge strong and prosperous, capable of projecting our shared values, leading in the world and demonstrating our resolve to protect the security of our citizens.

John Stevenson: Given that a transitional arrangement is likely to be required, and if the Government are to be flexible, a simple solution to consider is an off-the-shelf arrangement with some modifications. Would the Government be willing to consider rejoining the European Free Trade Association and then the European economic area, with suitable and appropriate amendments and modifications?

Mr Davis: As my hon. Friend will understand—he heard me say this earlier—we considered that in some detail before the Lancaster House speech. We concluded that it did not meet the requirements for which the British people voted and that it would not be as easy to negotiate as an alternative bespoke transitional arrangement might be.

3.3 Debates

[Government's EU Exit Analysis](#)

HC Deb 31 January 2018, c 827-876

[European Economic Area: UK Membership](#)

HC Deb 6 November 2017, c 1224-63

4. Further reading

House of Commons Library briefings

[Brexit: UK funding from the EU](#)

January 2018

[Brexit: trade aspects](#)

October 2017

[Brexit: some legal and constitutional issues and alternatives to EU membership](#)

July 2016

Select Committee reports

[UK trade options beyond 2019](#), HC 817

House of Commons International Trade Committee, March 2017

[Brexit: the options for trade](#), HL 72

House of Lords European Union Committee, December 2016

Other readings

[Future of UK Trade and Customs Policy](#)

House of Lords Library, 1 December 2017

[Although Britain won't rejoin EFTA, it can learn a great deal from its experience](#)

LSE, 6 November 2017

[UKEFTA association: a way to achieve trade continuity and a long-term soft Brexit](#)

The UK in a Changing Europe, August 2017

[Should the UK seek association with or membership of EFTA?](#)

LSE, 12 July 2017

[The Option of Association: The United Kingdom Post-Brexit and the European Free Trade Association](#)

foraus – Swiss Forum on Foreign Policy, June 2017

[Free trade agreements between EFTA and third countries: An overview](#)

European Parliament briefing, April 2016

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