

How to negotiate with the EU

As someone who negotiated at 21 Councils of Ministers in the EU, I learned that a country needs to be firm and clear about its intentions, and must decline to accept an unhappy compromise.

As we have seen from the former senior civil servants in the Lords, they have a very different approach. Their view is that because the EU is larger than the UK we just have to ask them what they intend to do and then claim it as our own. I fully accept that Prime Ministers and Ministers are responsible for the way the UK sought to renegotiate its relationship under David Cameron, and again they are responsible under Mrs May and Mr Davis for the current negotiations. It does however look as if the general thrust of civil service advice now as then has similarities to the attitudes the former senior officials express in the House of Lords. Now they are legislators they have to accept that their views will be subject to refutation and rejection by those who disagree.

I have never understood why so many senior officials think we need to give in each time to the EU. At every Council I attended there was remorseless pressure to reach an agreement about some new law – always an extension of EU power – when there was no need for a new law and when many interested parties were against it or wanted it changed or watered down. We can see the dangers of the approach in the failed renegotiation conducted by David Cameron. Let us adopt the convention that the PM himself chose this route. We do not need to claim he simply followed civil service advice. What is clear is no-one senior in the civil service warned him that his negotiating stance would not work, or sought to get him to ask for more or to dig in more. If they had I am sure leaks would have told us about it. What he did he did with civil service agreement.

So what did he do wrong? He asked for too little and settled for even less. The method appeared to be to tour the main capitals of the EU and ask what they might offer us. The answer was a uniform not much. He then asked for not much, and was promptly told that was too much! Legitimate requests to control numbers of migrants and to decide who was entitled to UK benefits were turned down. He thought Germany would help him, but Germany saw little need to and felt the UK with an opt out from the Euro and Schengen already had enough special treatment. As a result he was greeted with universal disapproval by the Brexit majority in the country who decided the deal was simply not good enough.

It is very important that Ministers and the civil service understand why this went wrong and do not do the same again if they want a sensible deal from the EU. We have been told the EU wants money we do not owe them, wants us to continue to obey laws we might wish to amend, and thinks we should “compromise” over freedom of movement. Many Brexit voters see no need to do any of those things. If the EU stays so unhelpful and offers nothing decent for the future relationship the government will find many voters think No Deal preferable to the deal the EU has in mind. Are there any voices in the

civil service close to the PM telling her that I wonder?

[MiFID II: ESMA issues latest double volume cap data](#)

The number of new breaches is 58 equities for the 8% cap, applicable to all trading venues, and 10 equities for the 4% cap, that applies to individual trading venues. Trading under the waivers for all new instruments in breach of the DVC thresholds should be suspended from 14 May 2018 to 14 November 2018. The instruments for which caps already existed from previous periods will continue to be suspended.

In addition, ESMA highlights that some trading venues in the meantime have submitted corrected data that affects past DVC publications. For a limited number of 12 instruments, this means that previously identified breaches of the 8% and 4% caps prove to be incorrect. For these instruments, the suspensions of trading under the waivers should be lifted.

New overview file for suspensions

In this publication, ESMA is changing slightly the way it presents the DVC files to facilitate access by national competent authorities (NCAs), market participants and the public in general. The ESMA publication now comprises a separate consolidated [Suspensions File](#), which includes all those instruments for which a suspension has been issued, and the corresponding suspension dates. The Suspensions File also identifies the instruments on which suspensions should be revoked due to data corrections.

The goal is to present all information in one place so that NCAs and market participants can identify the instruments affected by the caps in order to take the necessary actions. In addition, ESMA will continue to publish all monthly DVC files providing information on trade volumes for those instruments within the DVC scope for which complete data exists.

Background

MiFID II introduced the DVC to limit the amount of dark trading in equities allowed under the reference price waiver and the negotiated transaction waiver. The DVC is calculated per instrument (ISIN) based on the rolling average of trading in that instrument over the last 12 months.

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**Déclaration de la Haute Représentante
Federica Mogherini au nom de l'Union**

européenne sur la situation au Burundi en amont du référendum constitutionnel

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Les autorités burundaises ont lancé la dernière phase préparatoire au référendum constitutionnel prévu le 17 mai 2018. Ce processus a lieu dans un climat persistant d'intimidation et de répression et est marqué par l'absence d'approche consensuelle entre les différents groupes sociétaux et politiques du Burundi. Le manque d'information officielle publique sur les éléments clé du projet de Constitution et le contrôle étroit des journalistes et des médias risquent de compromettre davantage ce processus. A cet égard l'UE déplore la récente suspension des radios VoA et BBC.

L'Union européenne (UE) regrette la nature non-inclusive de cette phase préparatoire et s'associe pleinement à l'appel de l'Union africaine à «initier toutes les réformes constitutionnelles à travers un large consensus national de toutes les parties prenantes en question». Le processus actuel va à contre-courant des efforts en cours de médiation et de facilitation d'un dialogue politique inclusif inter-burundais portés par la Communauté d'Afrique de l'Est et l'Union africaine et pleinement soutenus par l'UE.

L'UE reste vivement préoccupée par la situation des droits humains au Burundi qui nuit à toute initiative de réconciliation, de paix et de justice. Elle relève en particulier, la persistance d'exécutions extrajudiciaires et d'arrestations arbitraires, y compris de défenseurs des droits humains comme Germain Rukuki qui est menacé par un verdict aussi arbitraire que sévère, et l'absence d'espace politique et restrictions aux libertés d'expression et d'association. A cet égard, la mise en œuvre des deux Résolutions de la 36ème session du Conseil des droits de l'homme à Genève reste une priorité politique.

L'UE, en tant que garant, appelle les autorités burundaises à respecter l'esprit et la lettre des Accords de paix d'Arusha, dont les dispositions ont servi de base pour le transfert pacifique du pouvoir au Burundi et qui ont promu la paix et la stabilité dans la région.

Dans la poursuite de ses efforts en soutien d'un dialogue inclusif, seul processus viable en vue d'un règlement politique durable au Burundi, l'UE continuera de se coordonner étroitement avec ses principaux partenaires internationaux, en particulier la Communauté d'Afrique de l'Est, l'Union africaine, l'ONU et son Envoyé spécial, ainsi que l'Office du HCDH au

Burundi.

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[One year on, these are our plans for Glasgow](#)

A year ago the people of Glasgow voted for the biggest change in local government this city has experienced in generations. They voted not only for a change in personnel and party, but for how we do politics, in where priorities lie, in how we do relationships with citizens and partners.

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