

## What would a Manifesto for the European elections say in the UK?

As someone who wants us to leave now and not fight the EU elections, I think the parties will struggle to write their Manifestos for May 22nd.

Presumably the Brexit party and UKIP will write similar documents urging a WTO exit as soon as possible. They should look forward to not having to take their seats or to giving up their seats after October 31st on the assumption we have then left the EU. Their problem will be differentiating their approaches from each other and avoiding splitting their pro Leave votes.

The Conservative party will presumably draft a Manifesto today based around Mrs May's Withdrawal Agreement. The problem with that approach is if her Agreement were to pass with Labour support anytime soon then the elections will be cancelled, as the UK's new status of in the EU without vote and voice would then kick in removing the entitlement or need for MEPs.

If the Agreement does not pass, this would leave Conservative candidates with a Manifesto made irrelevant by events.

If instead the Conservatives draft a Manifesto based on the proposition that the Agreement has not gone through, they follow a logical but politically dangerous path of hypotheticals. What then should it say? I would want it to say because there is no support for the Withdrawal Agreement we are leaving without signing it. That invites the response of "Get on with it, and spare us the election". Alternatively the Conservatives have to set out in the document how they might get talks with the EU retriggered even though the EU has made clear its refusal to re-open the Withdrawal Agreement. Likely tough responses from the EU make that a fraught approach.

Labour too has a difficult task in compiling a Manifesto. It faces all of the above problems facing the Conservatives over what to offer, with added grief from the factions wanting dilution or cancellation of Brexit within the party. If it includes a second referendum it is alienating all Leave voters who see no need to answer the same question again. If they leave out the second referendum they upset many of their pro Remain MPs and supporters especially in heavy Remain areas like London and Scotland. If they stick with their wish to enter a Customs Union they will be asked why they have failed to support Mrs May's Agreement which is a necessary prelude to a customs union solution according to the EU. They will also generally be asked why they have been such an obstacle to leaving the EU and why they rule out leaving without an Agreement which most Leave voters and some Remain voters saw as necessary leverage in the talks.

The Lib Dems, Greens and nationalists who want us to stay in the EU have the easiest task. They will presumably set out why they think the people were wrong to vote to leave and how they wish to reverse the decision. They can then go on to explain how they want to spend 5 years in the European

Parliament voting on EU laws, budgets and taxes. They will write off any chance of winning votes from more than half the public who want to leave or accept we need to leave in the light of the referendum result.

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## **The funeral of Councillor Bob Wyatt**

Yesterday there was a moving civic service to commemorate the life of Bob Wyatt. He gave Wokingham years of service as a Borough and a Town Councillor. He supported charities, and offered kind advice and help to many in need of assistance. His son and grandson made moving tributes to him, whilst Councillor David Lee and the Leader of Wokingham Borough told us of the great work he did on the Councils.

Bob was the founder of a the Classic Austin car society, so the procession to the Church included vintage Austin vehicles. Bob left behind a loving family and many books. He was an avid collector of military memorabilia and an author on the subjects that interested him.

It was fitting that Wokingham remembered his life and work for the Town and many who live here.

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## **More jobs in the UK and wages rising**

The February figures show the UK economy generated another additional 179,000 jobs. Wages rose by 3.5%, usefully ahead of prices. This all occurred against a backdrop of Italy in recession and the German economy stuttering badly. All those commentators who wrongly ascribe any bad economic news to Brexit should be rushing to thank Brexit for this good news.

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## **The Agreement to delay our exit is not one the UK should have signed**

The EU have required the UK to accept there can be no re opening of the terms of the Withdrawal Agreement during the delay in our exit. They have also stated we cannot start discussing the future partnership despite it being

sketched vaguely in the Political declaration, until the Withdrawal Agreement is signed.

This new agreement says if the UK does not fight the European elections we will automatically leave on 31 May. That would be the best outcome from here, and is to be recommended to a government that does not really want to hold the elections yet seems drifting to them for want of accepting the Withdrawal Agreement is not about to pass.

If the government wants to carry on with the delay despite the fact that it cannot be used to renegotiate anything with the EU, then the UK is subjected to major constraints on its rights as a continuing member of the EU. despite paying a big financial contribution and acting as importer of last resort for many continental producers, the UK is required to behave in a way the EU finds acceptable. The Agreement says " The UK shall facilitate the achievement of the Union's tasks and shall refrain from any measure which could jeopardise the attainment of the Union's objectives, in particular when participating in the decision making processes of the EU. "

Worse still they act as if the Withdrawal Agreement is in effect when the delay has been caused by the unhappiness of most voters and many MPs with it. "Any unilateral commitment, statement or other act by the UK should be compatible with the letter and spirit of the Withdrawal Agreement, and must not hamper its implementation." This is an unusual idea that a country has to follow an international treaty which its Parliament refuses to ratify!

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## [Letter to the Attorney General about the legal impact of signing the wrongly named Withdrawal Treaty](#)

Dear Geoffrey

Let me have another go at getting a reply from you concerning the way the Withdrawal Agreement stops us leaving the EU. Would you kindly confirm

1. If we sign this Treaty we will be locked into the EU and have to obey all its rules and pay all the bills it sends us for a period of at least 21 months, and probably for 45 months if we have not surrendered further to reach an exit agreement at the 21 month stage. This would mean remaining in the EU for at least 5 years from the decision to leave and probably for 7 years. The EU would be able to legislate and spend against UK interests during this period, whilst we would have no vote or voice in the matter.

2. In order to "leave" in your terms at the 5 to 7 year stage the UK will need to stay in the customs union and accept all single market rules and laws, unless the EU relented over the alleged Irish border issue. 3 years on

and the EU has given no ground on the made up border issue, so why would they over the next two years? Isn't the most likely outcome we would remain in the single market and customs union contrary to the government promise leaving meant leaving them in its referendum literature ?

3. After the 45 month period fully in the EU, the UK still would face financial obligations under the Withdrawal Treaty. The bills will be decided by the EU and we will have to pay them. Any attempt to query them would be adjudicated by the EU's own court! The longer we stay in the more the future bills are likely to be. The £39 bn figure is likely to be a considerable underestimate.

4 The Treaty creates a category of super citizen in the UK. EU nationals living in the UK when we "leave" the EU will have their access to benefits guaranteed in a way the rest of us do not for their entire lifetimes. So we will not be taking back control of our benefit system.

I am also concerned about a number of Articles in the draft Treaty that expressly extend EU powers and jurisdiction for a further 4 to 8 years beyond our departure date after the 21 to 45 month delay.

Article 5 reintroduces the powers of the European Court and enforces "sincere co-operation" on us as they do not want us impeding their plans for economic, monetary and political union.

Article 31 imposes social security co-ordination on us.

Article 39 gives special protection to EU citizens currently living in the UK from changes to social security for the whole of their lives, protection which the rest of us do not enjoy.

Article 51 applies parts of the VAT regime for an additional 5 years after the long transition envisaged in the Treaty

Articles 92-3 imposes the EU state aids regime on the UK for 4 years beyond transition

Article 95 imposes binding decisions by EU quangos and bodies for 4 years beyond transition

Article 99 requires us to pay for access to records to handle issues over indirect tax where the EU keeps powers for 4 years beyond transition

Article 127 applies the whole panoply of EU law throughout transition, including the right to legislate any way they wish against our interests and enforce it on us via the ECJ

Article 130 prevents us taking back control of our fish any time soon.

Doubtless more of our fishing rights would be given away trying to get an exit deal.

Article 135 allows them to send extra bills up to the end of 2028

Article 140 imposes on us financial liabilities up to December 2020 and carry over into 2021

Articles 144 and 150 prevent us getting back accumulated reserves and profits from our European Investment Fund and EIB shareholdings

Article 143 imposes adverse conditions on us over pension and loan liabilities of the Union

Article 155 requires to make continuing payments to Turkey under an EU programme after we have left

Article 158 gives the European Court continuing power for 8 years after

transition

Article 164 makes a Joint Committee an effective legislator and government over us

Article 174 requires any arbitration to be governed by ECJ judgements on the application of law in disputes

The Protocol on Northern Ireland will require us to stay in the Customs Union with regulatory and legal alignment with the single market, or split off a separate place called UK (NI) which will be governed differently to the rest of the UK on an island of Ireland basis.

There is much more I could object to. This is no Treaty to take back control, no Treaty for a newly independent nation. It does not quantify the financial liabilities, which are open ended and could be much larger than the low field £39bn Treasury estimate. We have little power to abate the bills and no power to abort the bills. It would probably result even in failure to take back control of our fishing grounds.

Mrs May needs to go back to the EU and explain why the UK people and Parliament have opposed this Treaty, and ask them to think again if they want an agreement before we leave. She needs to make it clear we now intend to leave without signing the Withdrawal Agreement prior to the European Parliamentary elections.

Yours

John Redwood