

News story: David Davis' update to the House of Commons on EU negotiations

With permission, Mr Speaker, I will update the House on negotiations between the United Kingdom and the European Union in November, reflecting our actions since the October Council.

Both the United Kingdom and European Union recognised the new dynamic instilled in the talks by the Prime Minister's Florence speech.

At the October European Council, the 27 Member states responded by agreeing to start their preparations for moving the negotiations on to trade and the future relationship we want to see.

The Council conclusions also called for work to continue, with a view to being able to move to the second phase of the negotiations as soon as possible.

It is, of course, inevitable that discussions are now narrowing to the few outstanding, albeit important, issues that remain.

Last week, our focus was concentrated on finding solutions to those few remaining issues.

As we move forward towards the December Council, we have been clear with the EU that we are willing to engage in discussions in a flexible and constructive way, in order to achieve the progress needed.

To this end, our teams are in continuous contact, even between formal rounds.

I will now turn to the three, key, ongoing areas of discussions, and outline progress made last week on each of these.

Northern Ireland

We have made solid progress in our ongoing discussions on Northern Ireland and Ireland. Key areas of achievement include:

- Continued progress in technical discussions on preserving North/ South co-operation
- Agreed joint principles on the continuation of the Common Travel Area and associated rights
- Drafting further joint principles on how best we preserve North/South cooperation under the Belfast Agreement to help guide the specific solutions to the unique circumstances in Northern Ireland

Both sides also remain firmly committed to avoiding a hard border, a point we have remained clear on throughout.

We also remain resolutely committed to upholding the Belfast, Good Friday Agreement, in all its parts. And to finding a solution that works for the people of Northern Ireland and Ireland.

We have continued to hold frank discussions with our Commission counterparts about all these issues.

But in this area we have also had to be very clear with our counterparts that, whilst we respect their desire to protect the legal order of the single market and Customs Union, that cannot come at the cost of the constitutional or economic integrity of the United Kingdom.

As I've said, we cannot create a 'new border' within the United Kingdom.

This is an area where we believe we will only be able to conclude talks finally in the context of a future relationship.

Until such time as we do so, we need to approach the issues that arise with a high degree of political sensitivity, with pragmatism and with creativity.

Discussions on these areas will continue in the run-up to the December Council.

Citizens' Rights

We have continued to make good progress on Citizens' Rights, both sides are working hard towards resolution of outstanding issues.

Last week, to respond to the request for reassurances by the European Union, we published a detailed description of our proposed administrative procedures for European Union citizens seeking settled status in the United Kingdom.

As our paper demonstrates, the new procedures will be as streamlined, straightforward and low-cost as possible.

They will be based on simple, transparent criteria, and these criteria will be laid out in the Withdrawal Agreement.

While there remain differences on the issues of family reunion and the export of benefits, we've been clear we are willing to consider what further reassurance we can provide to existing families of EU residents here – even if they are not currently living together in the United Kingdom.

I believe this paves the way to resolving the remaining issues in this area, and this was acknowledged by the Commission on Friday.

There remain some areas also where we are still seeking further movement from the European Union on issues such as voting rights, mutual recognition of qualifications, and onward movement for British citizens currently living in the EU27.

In all these three areas, the United Kingdom's offer goes beyond that of the European Union.

Finally, the Commission has not yet matched the UK's offer in relation to the right to stand and vote in local elections. Now, this is a core citizen's right that is nominally enshrined in the European Union treaties.

I have been disappointed that the European Union has been unwilling to include voting rights in the Withdrawal Agreement so far.

As a result, we will pursue this issue bilaterally with Member States.

The European Court

This week we have also sought to give further clarity on our commitment to incorporate the agreement we reach on Citizens' Rights into UK law.

This will ensure that European Union citizens in the UK can directly enforce their rights in UK courts, providing certainty and clarity for the long term.

We have made it clear that, over time, our courts can take account of rulings of the European Court of Justice in this area, to help to ensure consistent interpretation.

However, we remain clear that as we leave the European Union, it is a key priority for the United Kingdom to preserve the sovereignty of our courts and as such in leaving the European Union, we will bring an end to direct jurisdiction of the European Court of Justice.

Mr Speaker, it is not my intention to preempt the Committee stage of the EU Withdrawal Bill, but what I say next has some relevance for it.

It is clear that that we need to take further steps to provide clarity and certainty, both in the negotiations and at home, regarding the implementation of any agreement into United Kingdom law.

I can now confirm that, once we have reached an agreement, we will bring forward a specific piece of primary legislation to implement that agreement. This will be known as the Withdrawal Agreement and Implementation Bill.

This confirms that the major policies set out in the Withdrawal Agreement will be directly implemented into UK law by primary legislation – not by secondary legislation under the Withdrawal Bill.

This also means that Parliament will be given time to debate, scrutinise and vote on the final agreement we strike with the European Union. This agreement will hold only if Parliament approves it.

We expect this Bill to cover the contents of the Withdrawal Agreement, that includes issues such as, an agreement on citizens' rights, any financial settlement and the details of an implementation period agreed between both sides.

Of course, we do not yet know the exact details of this Bill and are unlikely to do so until the negotiations are near completion.

I should also tell the House, that this will be over and above the undertaking we have already made that will bring forward a motion on the final deal as soon as possible after the deal is agreed, and that we still intend and expect for such a vote on the final deal to happen before the European Parliament votes on it.

There cannot be any doubt that Parliament will be intimately involved at every stage.

Financial Settlement

Finally, on the financial settlement. I see laughter on the Opposition Benches, but actually this has been called for by Members on both sides of the House, so I hope that we get Labour party support for it for once.

Finally, on the financial settlement, the Prime Minister's commitment made in her Florence speech stands.

Our European Partners will not need to pay more or receive less over the remainder of the current budget plan as a result of our decision to leave.

The UK will honour its commitments we have made during the period of our membership, and this week we made substantial technical progress on the issues which underpin these commitments.

Conclusion

This has been a low-key, but important technical set of negotiations, falling as it has between two European Councils.

This is now about pinpointing further technical discussions that need to take place, and moving forward into the political discussions and political decisions.

We must now also look ahead to moving our discussions on to our future relationship.

For this to happen, both parties need to build confidence in both the process and indeed in the shared outcome.

The United Kingdom will continue to engage and negotiate constructively, as we have done since the start, but we need to see flexibility, imagination and willingness to make progress on both sides if these negotiations are to succeed and we are able to realise our new partnership.

I commend this statement to the House, Mr Speaker.