

Speech: Chancellor of the Duchy of Lancaster statement: 11 March 2019

With permission, Mr Speaker, I would like to make a statement on the government's negotiations to leave the European Union.

Can I start Mr Speaker with an apology to you and to the Hon Gentleman for Holborn and St Pancras and to the SNP spokesman that we've not tonight been able to follow the usual courtesies that I would have wanted to do and give them advance notice. The reason for this as Honourable members who've been following the TV coverage will know, is that negotiations are still taking place in Strasbourg, and I think anybody who has taken part in EU business on behalf of this or any previous government will know that it is far from unusual for deadlines to be stretched or for talks to be going on late.

I would emphasise to the House Mr Speaker that the intention of my Rt Hon Friend the Prime Minister is to secure a deal that works for the national interest of our country and she will persist in those negotiations until she is satisfied that that is what has been achieved.

I can Mr Speaker, provide the House with an update tonight on what has been agreed so far and clearly the government will update the House at the earliest opportunity tomorrow should there be an outcome to the continuing talks in Strasbourg, that will have an impact on tomorrow's debate.

Legally-binding changes

This evening in Strasbourg the Prime Minister and my Rt Hon Friend the Secretary of State for Exiting the EU has secured legally-binding changes that strengthen and improve the Withdrawal Agreement and Political Declaration.

This House spoke clearly on 29 January when it voted in favour of honouring the decision of the British people and leaving the EU with a deal that works for the UK.

The primary issue of concern then was the Northern Ireland backstop. This House needed legally-binding changes. And today, that is what the PM and the Secretary of State have achieved.

Tonight, we will be laying two new documents in the House. A joint, legally-binding instrument on the Withdrawal Agreement and Protocol on Northern Ireland, and a joint statement to supplement the Political Declaration.

The first provides confirmation that the EU cannot try to trap the UK in the backstop indefinitely and that doing so would be an explicit breach of the legally binding commitments both sides have agreed.

And if, contrary to all expectations, the EU were to act with that intention,

the UK could use this acceptance of what could constitute an explicit breach as the basis for a formal dispute through independent arbitration that such a breach had occurred – ultimately suspending the Protocol if the EU continued to breach its obligations.

On top of this, the joint instrument also reflects the UK's and the EU's commitment to work to replace the backstop with alternative arrangements by December 2020 – setting out explicitly that these arrangements do not need to replicate the provisions of the backstop in any respect. By including this commitment in the joint instrument this provision on alternative arrangements will be legally binding.

And I hope too that the legally binding commitment that the alternative arrangements do not need to replicate the backstop in any respect will go some way to reassure hon members that the backstop does not predetermine our future relationship with the EU should be.

The joint instrument also puts the commitments set out by Presidents Juncker and Tusk in January onto a legally binding footing: underlining the meaning of best endeavours; stressing the need for negotiations on the future relationship to be taken forward urgently; and confirming the assurances we made to the people of Northern Ireland – for example providing a UK lock on any new EU laws being added to the backstop.

The second is a joint statement supplementing the Political Declaration which outlines a number of commitments by the UK and EU to enhance and expedite the process of negotiating and bringing into force the future relationship, for example it makes reference to the possibility of provisional application of such future agreement, and it sets out in detail how the specific negotiating track on alternative arrangements will operate.

As I said, Mr Speaker, negotiations are continuing and the government will provide an update to the House at the earliest opportunity should there be further changes.

I would also completely understand that Honourable and Rt Hon members on all sides of the House will want to have the opportunity to study the documents in detail and to analyse their import. And clearly, there will be the opportunity at the debate scheduled tomorrow for members to question the Prime Minister and other Ministers and to seek answers to those questions.

It is also the case that as he said during Law Officers' oral questions last week, my Rt Hon and Learned friend the Attorney General has given a commitment from this dispatch box to publish his legal assessment and that will, of course, be available to all members in good time before the debate.

I mean Hon members, Mr Speaker, say 'when?'. Since my Rt Hon and Learned friend has just seen the outcome of the negotiations as they have concluded so far in Strasbourg, I think the House would expect that they would want the Attorney General to consider very carefully the implications of those documents, rather than rush an opinion out to meet the deadline for this statement this evening.

Forward process

Mr Speaker, this evening we shall table a motion that the House will debate tomorrow.

We have already published the Withdrawal Agreement and Political Declaration, and the other papers required of us under the European Union Withdrawal Act. And those will be supplemented by the documents I have drawn to the House's acquaintance this evening.

Tomorrow the House will vote on this improved deal.

A good deal

Mr Speaker, I believe that the deal we have already secured represents a good deal for the whole country and delivers on the result of the referendum.

When I was knocking on doors during the referendum campaign, the message I very clearly got from the people who voted to leave the EU was that they wanted to take back control – particularly of our borders but also of our laws.

The deal ends free movement and allows us to deliver a skills-based immigration system; and it ends the jurisdiction of the European Court of Justice in the UK.

Under the deal, we will also take back control of our money, no longer sending vast sums to the EU.

We will leave the Common Fisheries Policy and Common Agricultural Policy and take back control of our trade policy.

But I also found in 2016, Mr Speaker, that whether people voted to leave or to remain, they wanted us to have the deep and special partnership with the EU that our manifesto committed us to delivering.

The Political Declaration – the framework for the future relationship – allows for this.

The choice tomorrow

So in the Meaningful Vote tomorrow this House will face a fundamental choice. We said we would negotiate a good deal with the EU and I believe we have. And the EU has been clear that with the improvements that have been announced, which continue to be negotiated, this will be the only deal on the table.

And tomorrow there will be a fundamental choice: to vote for the improved deal or to plunge this country into a political crisis.

And if we vote for this improved deal we will both end the current uncertainty and have delivered Brexit.

This House was clear on the need for legally binding changes to the backstop. Today we have secured those changes.

Now is the time to come together, to back this improved Brexit deal, and to deliver on the instruction of the British people.