

The debate and votes on the EU Agreement

Parliament was told on Monday that the Speaker will accept votes on up to six amendments to the government's motion to approve its EU Withdrawal Agreement. The official Opposition has already tabled an amendment that declines to approve the Agreement and asks for customs union and single market membership. This is very likely to be selected for a vote. There is a Lib Dem amendment seeking a second referendum. There is a Hilary Benn/Dominic Grieve amendment seeking to reject both the Withdrawal Agreement and exit without an Agreement. There are then amendments seeking to avoid or amend the Irish backstop. There may be other amendments before the Speaker makes a decision on which ones to select for votes.

Under the procedure laid down the votes on amendments will take place before the vote on the government's main motion proposing the Withdrawal Agreement. Were any of the amendments to be carried, the final vote will then be on the amended motion rather than on the government's original motion proposing the Withdrawal Agreement. It is important to recognise that were the government to lose an amendment the straightforward issue of whether to accept or reject the Withdrawal Agreement will not be voted on. Presumably the government would find the Opposition amendments unacceptable, having tried to vote them down in the first place. It therefore seems likely the government would ask Conservative and DUP MPs to vote against the motion as amended.

Yesterday the government managed to lose three important votes. The votes on whether the government has been guilty of contempt of Parliament or not was mainly lost owing to the disaffection of the DUP over the Withdrawal Agreement. The third one was over how to proceed in January with what should be a neutral motion on leaving if we are leaving without an agreement, if that is the course owing to the defeat of the Withdrawal Agreement. This was lost owing to Conservative opponents of the government from the Remain side who want to keep open a route to thwart Brexit. It shows the difficulty of whipping against the background of a Withdrawal Agreement which suits neither side in the referendum argument, by a government which has lost the reliable support of the DUP.

The government should now publish the Attorney General's advice as Parliament requires. It should accept Parliament and much of the country does not want the Withdrawal Agreement, and notify the EU accordingly.