

The EU sets out its stall

The bark of the EU was less aggressive than the spin prior to the formal document. Mr Tusk tells us "The Union will be constructive throughout and will strive to find an Agreement". He sees the UK as a "close partner in the future". He welcomes the UK's understanding that you cannot belong to the single market without accepting all the four freedoms.

It is also clear that the EU would like a free trade agreement, and an agreement on intelligence, counter terrorism, defence and security co-operation. Indeed, why wouldn't they, when you see how it is so strongly in their interests. The Union is worried that the UK might seek to negotiate and talk to individual member states likely to be sympathetic, so the document seeks to ban any talks by the EU 27 individually with the UK about Brexit. The Union has moved its language a bit on the rights of UK citizens living on the continent and EU citizens living in the UK, in recognition that they need to reassure and secure the position of all involved. It still falls short of the full guarantee that should be offered.

So what are the catches? There are three main obstacles to an agreement latent in this proposal. The first is the continued provision for a "divorce bill". The language is less inflammatory and there is some understanding that any payment has to be based on "legal and budgetary commitments". So maybe they will see there are no financial obligations beyond our continuing budget contributions up to the date of departure.

The second is wish to delay work on a future trade relationship and other matters concerning our future co-operation until a second phase. This is reinforced by saying that any free trade agreement has to be "finalised and concluded once the UK is no longer a member state". If by this they mean the day after we leave we can register a free trade agreement already sorted out then this is fine, but if they mean we sit down and sort one out after departure they will have to adjust to high tariffs against their strong agricultural exports to the UK from Day One.

The third is the mantra that "Nothing is agreed until everything is agreed". This could delay necessary agreements over matters like citizens rights, and makes the likelihood of all the EU member states and the other EU institutions agreeing that much more difficult.

The UK in response to this should continue with warm words and friendly intent, but also should inject some pace and energy into the timetable. Uncertainty helps neither side. It will be no easier to agree these things in 2019 than now. Lets flush out whether they are serious about wanting a deal. If they are not, lets just leave.