

The EU UK Agreement

Now we are all able to read a text I am inviting you to comment on what you think of the document.

On the crucial issue of sovereignty it appears to reinforce Clause 38 of the Withdrawal Act which I supported. That rightly asserted that the UK can legislate as it wishes for the UK, notwithstanding any agreements with the EU.

This proposed Agreement clearly rules out any future jurisdiction or control by the European Court of Justice over the UK under this Agreement. It states "For greater certainty an interpretation of this Agreement...given by the courts of either party shall not be binding on the other party"

It also seeks to limit litigious activities under the Agreement by stating that "nothing in this Agreement ...shall be confirmed as conferring rights or imposing obligations on persons other than those created between the parties under public international law, nor as permitting this Agreement...to be directly invoked in the domestic legal system of the parties"

As it is important to protect our sovereignty from any future attempted infringements by the EU acting under this Agreement, it is also crucial that there is an easy exit clause. This was something I lobbied for strongly. Financial Provision 8 headed "Termination" gives a simple clean exit in the form of this statement:

"Either party may terminate the Agreement by written notification through diplomatic channels. This Agreement and any supplementing Agreement shall cease to be in force on the first day of the twelfth month following the date of notification."

These clauses appear to allow any UK government with political will to legislate as UK voters wish and to govern the UK as an independent country. I am awaiting the legal judgement of the ERG lawyers Committee who are studying this in detail . It also needs clarification for the situation in Northern Ireland, where I still have not seen the text of the Agreement sketched to us by Michael Gove in early December. Presumably the issues are less severe now there is a tariff and quota free Agreement.

I will come to a judgement following further study and after hearing from others their thoughts.