

## Where is the Withdrawal Treaty Bill?

Will Mrs May really ask us to vote for a fourth time on this unpopular Treaty by bringing forward the Bill to ratify it? She says they will. Why then does she not publish it so we can talk about it properly? Is it so bad it must be kept secret?

Mrs May's refusal to change her mind on this draft Treaty means she must resign after so many defeats for it.

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## Further comments on Stephen Barclay letter

A couple of correspondents have asked me to provide a more detailed response to the Barclay letter.

In the main areas his letter confirms what I said about the draft Treaty. He agrees that as long as we are in so called transition the UK is "subject to existing and new rules as if we were members" and pays full budget contributions. I have always pointed out we lose vote and voice so we are no longer full members with rights, but we would be entirely subject to EU laws, rules and budget requirements. That does not sound like leaving. We then need to negotiate our way out, which according to the government will entail locking us into yet another EU Treaty to be determined. Its a very expensive invitation to more talks about leaving.

He confirms that the Northern Ireland Protocol creates different government for Northern Ireland over customs, trade and the single market. Of course he is right if the rest of the UK accepted EU requirements and changes as Northern Ireland would have to we could avoid separation of conditions between NI and the rest of the UK. Again that does not sound like leaving.

He confirms that we will face full budget bills up to the unclear end of transition and will have further obligations up to 2028. He says the further adjustments made up to 2028 might be downwards, but clearly they could be upwards from an EU that is cash hungry and inventive on claims.

He suggests £35bn to £39 bn is a small sum. I beg to differ. He also concedes this is just an estimate. Given the vagueness of the headings I think it could well be a lot bigger. He concedes the EU has a big role in calculating and sending the bill and adjudicating disputes.

He doesn't disagree we have been short changed on the EIB by losing our share of accumulated reserves.

He agrees we have to meet pension liabilities and payments to Turkey, but says this is fair.

On individual Articles he usually argues continuing ECJ powers and related matters up to 2028 that I listed relate to matters that occur up to the end of transition. I object to this long tail, providing an enduring opportunity for the EU to demand more cash or legal observance because they say something started or occurred before we left. It gives them a lever which could be damaging to us

He agrees the ECJ continues to rule all the time we are in so called transition. This would be a binding Treaty which would greatly reduce our capacity to govern ourselves. There is less disagreement than the general remarks of his letter might suggest. He places a favourable construction on how the EU would behave if we signed. I think they might push the clauses against us rather more.

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## [China telecoms](#)

This week President Trump issued an Executive Order requiring tougher regulation and bans of telecoms equipment from unnamed "foreign adversaries" that threaten the US national security. At the same time briefing occurred that he has in mind China in general and the Huawei company in particular.

It is clear the US thinks Chinese involvement in digital systems can pose a future threat to their security and might give the Chinese state access to secrets and the ability to disrupt should it wish to do so. Most comment has concentrated on whether Huawei would ever act for the Chinese state in this way, and whether they have a possible "backdoor" into the systems and data on systems in the west where they provide hardware. They deny both suggestions. There is also the issue of the nature of the US/China relationship that underlies these concerns, with the USA effectively calling China an adversary and treating the Chinese state as a potential threat.

Should America's allies adopt the same posture as Mr Trump wishes? This will be an issue when he next visits.

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## [The Attorney General writes me a](#)

# Letter

I know some of you thought it odd that the Attorney did not reply to my letter, but I eventually got a reply from the Secretary of State for exiting the EU. You will be pleased to know that yesterday I did also get a reply from the Attorney himself, so any criticism on that score is misfounded.

I am used to government departments sending letters to other government departments for reply. I am also used to the idea of collective responsibility, so I assume the government department that sent it to another agrees completely with the answer the responding department offers, and has had an opportunity to comment on the line taken when the matters covered were settled by government or when the letter is answered.

I thought I should share the Attorney's letter with you as people will want to make up their own minds about the balance of argument on this important constitutional matter.

The Attorney wrote:

"I am writing further to your emails of 14 and 18 April concerning the Withdrawal Agreement.

The Secretary of State for Exiting the European Union has now responded to your queries on behalf of the Department for Exiting the European Union, which is the department responsible for overseeing negotiations to leave the EU and establishing the future relationship between the EU and the UK. I have seen the letter dated 14 May 2019, the substantive contents of which I agree with."

This is an unusual letter, as normally the government only sends one reply to a query. It is interesting that it explains to me how the negotiations over the EU are conducted without mentioning the prominent roles of the Prime Minister, Mr Robbins and the Cabinet Office who I thought had been leading the talks. It is also interesting because it does not simply say the Attorney agrees with the government's letter, but he agrees with "the substantive contents" which are not separately identified.

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**Book launch and talk at All Souls**  
**College High Street Oxford Friday 17th**  
**May at 2pm**

Just a reminder that I am giving my talk in Oxford tomorrow, when I will

demonstrate the collapse in support for major traditional centre left and centre right parties, the impact of the Euro and the EU scheme on those parties, and the general disillusion with the establishment that we see on both sides of the Atlantic.

“We don’t believe you” Why populists reject the establishment (via Amazon)

Signed copies available tomorrow at the launch.