

12th March 2019

## Promises, Promises, Promises.

There is nothing legally binding in the latest attempt by the EU and the HMG, Parliament and Civil Service - for one simple reason it will be the European Court of Justice (ECJ) that decides upon the legality of the promises. The ECJ managed, through its own case law, to turn the Lisbon Treaty (2007) into the *de facto* EU Constitution - even though the word "Constitution" was not even used in any of the 6 EU Treaties; and Eire was the only EU Member State had a Referendum in order to ratify the Treaty.

Even these new attempts by Theresa May to find a way of securing the ratification of the Withdrawal Agreement have the fingerprints of Angela Merkel all over them - with a clear impression that they are largely just repeats of what was already in the documents previously or are simply designed to fool a lay person. Meanwhile, Blair has been busy behind the scenes - actively encouraging the EU to stand firm on the new treaty.

The three promises are:

- A joint legally binding 'instrument' that is based on promises from Jean-Claude Juncker and Donald Tusk the backstop cannot be permanent and should be replaced by 'alternative arrangements' by 2020.
- A joint statement adding to the political statement about the future UK-EU relationship, committing both sides to 'enhance and expedite' the trade talks on the final status.
- A unilateral statement by Britain that if the backstop ever kicked in, the UK would introduce measures to ensure it is 'disapplied'. This means measures to ensure an open border - but does not specify what they are.

In Parliament today, Attorney General Geoffrey Cox explained that the new changes do not change the fact the Withdrawal Agreement could keep the UK in the EU without the UK being able to do anything about it - since these changes would not be enforceable in International Law - stating in the final conclusion that: *"the UK would have no internationally lawful means of exiting the Protocol's arrangements, save by agreement"*.

Even the fact that the UK has written a unilateral statement makes no difference if the EU does not agree with it!

There is speculation that the deal could be voted down by as many as 150 votes.

To overturn the EU's three little promises to the UK is trivial for the ECJ - who are tasked with bringing about, and enforcing, the EU mantra of "Ever Closer Union" - its sacred utterance - which the WA&PD are designed to maintain - with a vengeance.

## If the Withdrawal Agreement is Ratified

All the UK can look forward to if this new WA Treaty is ratified is eternal servitude within the EU - precisely the same as staying in under the Lisbon Treaty (2007) - without any say but continued obligations; to keep paying into the EU, obeying its laws, and being forcefully integrated into its Federal State system; a continuation of uncertainty for business and every citizen and no incentive for the EU to do anything to bring about a trade deal - and "Taxation without Representation" - which was the cry for freedom of the American Colonies which led to the American Revolution - something that should be on every Leave banner.

## **Result of the 2nd WA&PD Vote**

**Tonight, Parliament defeated the WA&PD treaty for a second time - the 391 - 242 with a majority of 149 - the first vote on the treaty was the largest defeat in Parliamentary history with a majority of 230.**

**Tomorrow there will a vote on the WYO option (aka "No Deal") and on Thursday there will be a vote applying to the EU for an extension of Article 50 process.**

**So far this has followed the desired trajectory of the EU's preferred outcome - which is likely to lead to a second Referendum - where the twice defeated treaty may rise from its resting place to feature as an option - one other possibility is that there may be a General Election - current polling shows that the Conservatives have a 10% lead over the Labour Party.**