

# Brexit means Brexit (in name only)

Politicians, civil servants and Eurocrats, economical with the truth as ever, if not actually disingenuous, are doing their best to create a Brexit in name only. Mrs May, Mr Davis and the Department for (not) Exiting the European Union (EU) are carrying on regardless. They appear oblivious to the contradictions in what they are saying and doing, and the obvious warning signs from Brussels. The following merely illustrates the tip of a delusional, ill-informed myopia.

Mrs May in an interview broadcast on 2<sup>nd</sup> February 2018 on Channel Four said:

*" ....we have until March 2019, that is when we are leaving the European Union.*

*... What we are going to be negotiating with the European Union is a free trade agreement with them that will be **about a tariff free, a frictionless trading as possible.** ....That's the sort of deal I'm going to be negotiating.....What we will have in future and that is what the next few months negotiating is about is a bespoke free trade agreement."*

The EU sees things somewhat differently and has remained consistent in its approach, although as time passes it appears to be getting increasingly uncompromising and demanding. Its top priorities are the preservation of its own interests and obedience to its rules rather than accommodating the wayward United Kingdom. This is very apparent in recent report and their published text and slides on the EU's view of the transitional period.

Mr Barnier (the EU's chief negotiator) on his recent trip to London, repeating previous comments (for example), said:

*“The only thing I can say – without the customs union, outside the single market – **barriers to trade and goods and services are unavoidable.**”*

An all-singing, all-dancing free trade agreement is not likely to be the long term solution even if it can be negotiated. Furthermore, negotiations on such a deal can only start after the UK has formally left the EU, that is, after 29<sup>th</sup> March 2019 or later, as confirmed the EU's Trade Commissioner back in 2016. The EU's perspective on a free trade agreement with the UK is roughly on the lines of 'OK if it is a win for us and a lose for you'. The *Irish Times* has recently been reporting on what the EU is up to, such as hamstringing our businesses and government, and retaining the right through the Common Fisheries Policy to plunder our Exclusive Economic Zone (*i.e., the waters up to 200 nautical miles from the shoreline. or the median point where the sea is less than 400 nautical miles wide*). The EU's demands go far beyond what is strictly necessary for trade.

Unbelievably Mrs May is likely to agree to this and much more. Time is not on her side. Also the unbreakable law of negotiations is against her as well – in other words, 'money and concessions flow from the weakest (or more desperate) to the strongest party'. The transition cave-in (aka agreement to avoid a 'cliff-edge' of barriers to trade) effectively turns the UK into a powerless EU vassal state as explained here and here (where vassal status becomes permanent without a free trade agreement). It looks like this could actually be less awful than the terms eventually on offer for an unfree trade agreement from an omnipotent EU to a subservient Mrs May-led UK. Germany, in the form of Mrs Merkel, is already making disparaging jokes in semi-private about Mrs May.

That a domestically weak Mrs Merkel can lampoon our supposed 'negotiating dreadnought' points to an uncompromising EU/German-centric position. And what Germany wants from the

EU, Germany gets. After all, the EU is a political construct which was designed to tame German nationalism, whilst facilitating its industrial, commercial and demographic clout, and at the same time giving France delusions of grandeur. Economic objectives are subordinate, not dominant to political objectives. In considering a free trade agreement there should be no underestimating the EU's continuing priorities of control-freak centralisation (under German hegemony), homogeneity and undermining national identities. It is unlikely Mrs Merkel (or her eventual successors) will treat the UK kindly as this could encourage other Member States to rebel.

Yet the prospect of the UK becoming a permanent, powerless EU vassal state by indefinitely extending the transitional arrangement or by signing a one-sided free trade agreement is basically thanks to Mrs May's dithering. Although presumably Mr Davis and the Department for (not) Exiting the European Union had some input. Mrs May, for reasons never explained, decided that we must leave the Single Market (and by extension the European Economic Area, EEA). Remaining in the EEA by rejoining EFTA, the European Free Trade Association, is a much better proposition as a temporary or transitional measure. It would allow fairly frictionless trade and a breathing space in which to negotiate a suitable long-term trading relationship without being under duress.

The EFTA/EEA option allows for control of immigration through unilaterally invoking Article 112 (the Safeguard Measures) of the EEA Agreement. The EFTA route to EEA membership gives members outside the EU a say in EU legislation affecting the EEA, is largely free (although 'voluntarily' Norway does contribute to regional development funds) and is outside the jurisdiction of the European Court of Justice (ECJ). The EEA *Acquis* or body of law is about a quarter of the total EU *Acquis* since it only relates to successful functioning of the EEA. And EFTA members make their own trade agreements with

other countries. Membership of the EEA solves the problem of maintaining a soft border in Ireland between the Irish Republic and Northern Ireland. It also gives us full control of fishing.

When Mrs May first rejected remaining in the Single Market, in her Lancaster House speech in January 2017 she appears to have been unaware of the EFTA/EEA route and its possibilities. Unfortunately, she does appear both then and in her later Florence speech of 22<sup>nd</sup> September 2017, to have swallowed 'hook, line and sinker' the disingenuous line repeatedly peddled by the EU leaders about the four freedoms (of movement of goods, capital, services and people) being inviolable – they certainly are if you are a Member State of the EU but not for EFTA countries who can unilaterally invoke Article 112 of the EEA Agreement.

EU leaders and Mr Barnier in particular appear to have been both unhelpful and economical with the truth about the EFTA/EEA route. However, recently it appears the European Commission may be seriously evaluating the EFTA/EEA route for transitional arrangements for the UK as noted by an EFTA Court judge (Mr Carl Baudenbacher) giving evidence to the Commons Committee for Exiting the EU on 7<sup>th</sup> February 2018 and reported in the Telegraph on-line. It would be very ironic if it was the EU which finally pushed Mrs May into signing up even temporarily to a better proposition – i.e., EFTA/EEA membership – than the one she is currently minded to pursue.

We can but hope that common sense will prevail for if not, no amount of spin will be able to conceal the truth about Mrs May's submissive transition to an unfree trade agreement. There will obviously be a heavy political price to be paid in the next General Election in 2022 for short- changing the British people over Brexit through turning this country into a permanent EU Vassal State.