

MPs and the DUP issue separate and damning indictments of PM's EU deal

Democratic scrutiny is being blocked while the EU gallops to Windsor finishing post

We summarise two key UK developments yesterday, as EU prepares to sign off N.I. deal

Yesterday saw two key developments in a saga which goes to the heart of UK sovereignty and the supremacy of Parliament after Brexit.

In London, MPs on the European Scrutiny Committee chaired by Sir Bill Cash MP published a very troubling report, **accusing Rishi Sunak of "swerving timely scrutiny" by Parliament** on his deal with the EU Commission known as 'the Windsor Framework'.

Meanwhile on a visit to Washington DC, the DUP Leader Sir Jeffrey Donaldson MP issued a long-awaited statement rejecting the Prime Minister's deal on numerous levels.

Both of these developments on the same day suggest that Rishi Sunak's hopes to rush through his 'solution' to the division of the United Kingdom by the EU will come to a head in the next week.

Summary

1. Westminster, UK

- PM refuses to appear before Committee to answer questions
- The Committee of MPs accuse him of *"swerving timely scrutiny"*
- Official report warns of PM attempting a *"fait accompli"* in his EU deal

2. Washington DC, USA

- DUP Leader states Windsor Framework *"does not deal with some of the fundamental problems"*
- The deal does not *"remedy the harm done by the Protocol to the Acts of Union"*
- Serious concerns remain over *"democratic deficit"*, EU laws, and trade within the United Kingdom

3. Brussels, Belgium

- EU Council is set to sign off on the deal next Wednesday
- The Windsor Framework forms items 1 and 2 on the meeting's agenda

[Sources: European Scrutiny Committee | DUP | EU Council]

1. MPs issue strongly-worded condemnation of PM's attempts to gallop to Windsor finishing post

Windsor Framework: Committee warn against ‘fait accompli’

14 March 2023

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The full report can be read [here](#).

Preventing Parliament from having “meaningful input” into the PM’s Windsor Framework before it is finalised between the Government and the EU risks being seen as a ‘fait accompli’, according to a new report by the European Scrutiny Committee (ESC).

The ESC’s report was published yesterday, outlining the Prime Minister’s responsibility to enable oversight by MPs of the deal brokered between the Government and the European Union, after Mr Sunak rejected an invitation to appear before the Committee. The original offer had been to hold a session yesterday (14 Mar 2023).

The ESC is concerned that no date has been set for a Parliamentary vote. Meanwhile, the EU Council is ready to agree to the proposals in under one week’s time, on 21 March. A joint UK-EU meeting of the Withdrawal Agreement Joint Committee could then sign off on the deal by as early as the end of next week, the report says.

Feeling that he may be attempting to *“swerve timely scrutiny”*, MPs on the Committee have publicly outlined their concerns and listed some of the most critical issues that they want addressing. These include the applicability of EU law in Northern Ireland and the role of the European Court of Justice

under the Framework, the operation of the ‘Stormont Brake’, and movement of goods between Great Britain and Northern Ireland.

These issues all go to the heart of the issues of post-Brexit sovereignty and democratic accountability.



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2. DUP Leader the Rt Hon Sir Jeffrey Donaldson MP on “fundamental problems”



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The full statement may be read [here](#).

In a statement released yesterday while in Washington DC, the DUP Leader said:

“The Windsor Framework while undoubtedly representing significant progress across a number of areas does not deal with some of the fundamental problems at the heart of our current difficulties.”

He went on to highlight key areas of concern including :-

“The fact that the proposals in the Windsor Framework do not in themselves adequately remedy the harm done by the Protocol to Article 6 of the Acts of Union and our ability to trade with the rest of the United Kingdom.

“The UK Government gave a commitment in the New Decade New Approach Agreement to protect Northern Ireland’s place in the UK Internal Market and this remains unfinished business. Notwithstanding the proposal to remove certain barriers to trade between GB and NI under the Framework we will want to see further work in this area, consistent with the NDNA commitment that protects our place in the internal market and our economic rights under Article 6 of the Acts of Union.

“The implications of the continued application of EU law without consent in Northern Ireland under the Windsor Framework. For example, for those Northern Ireland businesses that do not trade with the EU and only trade within the United Kingdom why should they be required to follow EU laws? This area will need further exploration and clarity from the Government.

“The Green Lane, operating within the United Kingdom, dealing with goods from registered UK businesses that are sold and destined for final consumers in Northern Ireland. Greater clarity is needed on how this will operate in practice and that arrangements ensure the free flow of goods within the

United Kingdom Internal Market.

“The proposed remedy for the democratic deficit (for amended and new EU laws) in Northern Ireland – the Stormont Brake. For these proposals to truly remedy this aspect of the democratic deficit in Northern Ireland (namely amended and new EU law) we must be clear that any mechanism exercised by 30 MLAs is effective in law and will allow locally elected representatives of the people of Northern Ireland to determine whether amended or new laws are implemented. We cannot have a situation where Northern Ireland diverges from its most important market that being the rest of the United Kingdom.”

Statement by the Rt Hon Sir Jeffrey Donaldson MP, 14 Mar 2023

3. Meanwhile, in Brussels...



Council of the European Union
General Secretariat

Brussels, 10 March 2023

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NOTICE OF MEETING AND PROVISIONAL AGENDA

COUNCIL OF THE EUROPEAN UNION
(General Affairs)

Europa building, Brussels

21 March 2023 (09:30)

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One week today the General Council of the EU will meet. The first two items on the agenda refer to the Windsor Framework and it is expected that the EU Commission's proposals will be

signed off.

At that point it will be highly unlikely the EU will re-visit the question any time soon.

Observations

It is impossible to imagine that the concerns raised by the European Scrutiny Committee and by the DUP will be resolved before the EU Council meets next week.

Under these circumstances the Government must ask the EU to defer any decisions until after the due processes have been gone through in the UK. The PM promised that all parties would be given the opportunity to have their say and this has not yet happened in a formal way in the Commons, nor in Committee.

Prior to this, full discussions are needed in order to address the fundamental flaws in the Windsor Framework, which CIBUK highlighted in the early hours of the morning of 28 February.

The Budget, tax rises, and more spin

Today's news agenda will of course be dominated by the Budget, as well as the strikes by thousands of workers from different sectors.

In practical terms this will mean another day will be lost in the battle to regain full United Kingdom sovereignty from the EU, after the Referendum vote almost seven years ago.

CIBUK supports the stance of the European Scrutiny Committee. There are many unanswered questions, all of which must be satisfactorily resolved before the EU General Council meets next week.

Our own solution, as regular readers will know, is to accept

the fact that the NI Protocol was a device used by the EU to punish the UK, that it was never needed in the first place, and that the UK Government should use the provisions contained within it to resile from the Protocol completely.

The original article can be found [here](#).

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