

## The EU Withdrawal Agreement

The draft withdrawal agreement alongside the 26 page detail about the future deals to be agreed leaves a lot to trust and wishful thinking.

- The proposed 'backstop' could keep the whole of the UK in the Customs Union indefinitely.

- Even though the UK is free to leave the EU, the UK could not withdraw from the 'backstop'/ Customs Union without the agreement of the EU.

- The UK would hand over £39bn – or more - for nothing in return.

- The UK's negotiating position for the future free trade deal would be much weaker than it is now.

- Parts of UK law would remain under the jurisdiction of the ECJ, including the operation of the 'backstop'.

The prime minister has insisted that this so-called 'backstop' arrangement is never intended to be used, but that supposes that the EU and the UK would be able to agree on a future free trade deal. Judging from how these negotiations have gone so far, it seems most unlikely we would be offered an acceptable free trade agreement. If we did not agree to what the EU wants, then they would insist we remain in the 'backstop', which means staying in the EU customs union.

Any pretence that the UK will leave the complete jurisdiction of the EU Court has been abandoned (Article 4).

The negotiations have been a long exercise in supplication and submission on the part the UK government. Article 50 was designed to put the leaving state at a disadvantage, but the UK government

seems to have embraced defeat and squandered the UK's negotiating position. The government has shown no confidence in the future of this country in the conduct of these negotiations.

The PM chose to accept the most negative advice from her officials, and from 'Remain' supporting ministers. She then allowed officials to conduct the negotiations, rather than supporting the DExEU ministers she appointed to do the job. This was what David Davis said when he resigned and has been confirmed again by Dominic Raab, who has also now resigned. It is clear the government does not regard leaving the EU as the great opportunity for the UK, but as a disaster to be mitigated.

It is clear that the PM's hopeful statements cannot be matched by what is actually written in the document.

It would surely be better to accept some short term difficulties as we leave the EU without an agreement, but in the certain knowledge that we would at least enjoy new freedoms immediately to improve UK competitiveness and our trade with the rest of the world.

Let us not forget that the UK does not need an agreement with the EU to continue to export to the EU. We can continue trading with the EU on World Trade Organisation (WTO) terms without an agreement. The UK already exports more to the rest of the world than to the EU. For example, the UK has no free trade agreement with the US, even though the US is our biggest export market. The EU trades with most of the rest of the world on WTO terms.

The EU and the Irish government

concocted the issue of the Northern Irish border problems as a negotiating tactic, and the government completely failed to challenge it.

Maybe we would be better to go back to the a Canada+ trade agreement as offered by the EU in March. Failing that, it would be better to leave without a formal Withdrawal Agreement.

Above all, we need to get Brexit over and done quickly, so that we can get back to other issues which matter to voters and to the future of our country. The danger of the PM's proposals is that they would make Brexit interminable, corroding faith in politics and undermining economic confidence. It would also be breaking the manifesto promises on Brexit.

As Daniel Hannan MEP puts it, the claim that the Customs Union is temporary depends on our faith in two things: the Prime Minister's negotiating ability and the EU's generosity. On the basis of the record of the past two years, is that a gamble you'd make? The other EU states are not hiding their glee at our surrender. Emmanuel Macron has already said that he will veto a future trade deal – that is, keep us in the Customs Union – unless we open our fishing grounds to his skippers. It takes only one country to wield a veto at that stage, so Madrid might make a similar threat over Gibraltar, Dublin over Ulster and so on. Britain would by then have handed away its £39 billion and all its leverage. Are we really supposed to believe that the EU would terminate a position that is, as Donald Trump correctly says, advantageous to the 27 but excruciating for Britain, out of sheer goodwill?

# Theresa May's Brexit surrender

*Rodney Atkinson article first shown in freenations.net*

Never in the history of our nation has a prime minister concluded a surrender document ceding such comprehensive and indefinite control to foreign powers. Before she started negotiating we had the clear freedom to leave. Her new Deal means we now lose that freedom. We pay £40bn with no commitment to a trade deal. On 29th March we lose our rights but none of our obligations. The forces attacking us today are identical to those who appeased or collaborated with Fascism in the 1930s.

Theresa May's contempt for democratic government was plain as she effectively abolished a Department of State, kept details secret, hoodwinked her colleagues and bounced her Cabinet into "approving" it without a recorded vote and without having time to read its contemptible contents. In the USA such a leader would be impeached. Here she must be voted out immediately by her party.

**EU stays in control** - *"They (the British) must align their rules but the EU will retain all the controls. They apply the same rules. The UK wants a lot more from a future relationship so the EU retains its leverage"*. - Leaked diplomatic note Sabine Weyand deputy chief EU negotiator

A ZDF (German Television) report said: "In Brussels they say that the EU has asserted itself all along the line. PM May had to swallow a lot." Indeed she had swallow her own "red lines", repeatedly lying to the press as she did so.

We could have had a clean withdrawal at any time after June 2016 when we voted to leave the EU. But now we have a "withdrawal" deal which keeps us in under control of the EU until the EU agrees we can go! And it could be highly profitable for the EU to force an extension of the Transition into a new budget period and rip us off for a few more tens of billions of pounds!

**The surrender terms** - We pay £40bn exit fee now with no guarantee

of a trade deal in the future. When UK Brexit Ministers wanted to make the payment conditional on a trade deal they were overruled by the civil service (!) and Theresa May.

There is no mention of getting back our share of the massive value of EU buildings and infrastructure for which we have paid for 46 years - see recent post <http://freenations.net/eu-owes-uk-10-3-billion-euros-and-time-to-leave/>

Free movement continues with an agreement that we allow anyone who is here or comes here in the next 2 years (at least) to stay here and bring their extended families.

EU citizens in the UK for 5 years will "enjoy equal treatment with the nationals of that state" and so will their family members. Because this is not defined this could mean becoming UK citizens and voting in Westminster elections!

The EU arrogantly says the UK and Spain must set up a Committee on Gibraltar!

EU tariffs will continue to advantage continental industry but tax British consumers (food, clothes are particularly hit)

British fishermen will continue to sacrifice the vast majority of the fish in our territorial waters to EU fishermen during the transition and the EU is already making the case that *even after that* we must continue to give them access to our waters if we want to sell our fish into their market! This is an unheard of principle in trade and shows the imperial control which the EU seeks over supplicant nations! As Lee Rotherham reminds us: "...fishing campaigners point out, since the UK does not regain management of its assets, stocks can be bartered to the point of pillaging by Council members without the UK being even in the room."

We would be still in the Common Agricultural Policy with British farmers unable to produce what they could, unable to trade freely outside the EU and paying to subsidise their

competitors in the EU.

We would still be unable to start new trade deals with any other country e.g. USA, Commonwealth countries.

Article 87 asserts European Court supremacy over not only UK judges but over the UK Government transposing its EU obligations during transition – *and four years after that*.

The UK is being ripped off by accepting a full budget share of EU pension liabilities because we have a very low percentage share of UK staff in EU institutions who will benefit.

The only things we are exiting on 29th March 2019 are our rights – to equal treatment, to MEPs, and to British EU Commissioners. We are no longer a member state but we maintain all the costs and are being discriminated against on funding and projects like the Galileo satellite system. For instance the UK has boycotted an EU aid spending plan vote over Brussels' Brexit bullying. It accused the European Commission of discriminating against UK based organisations over Brexit, and refused to endorse the billions of pounds of spending – even though we continue to pay in after May's so called "Brexit".

**Finally under Article 129, the UK is bound to avoid actions "likely to be prejudicial to the Union's interests" in any international organisation, agency, conference or forum. How is that to be judged? Virtually any free choice we make to engage with the rest of the world on better terms than the EU could be said to be prejudicial to the EU.**

Mrs May says she cannot re-open negotiations on the Deal – but I note that it is called a "DRAFT Agreement on the Withdrawal of the United Kingdom from the EU". Drafts are so called because they CAN be amended in normal transactions. But this of course is the imperial EU issuing its orders, not a reasonable agreement between "partners".

**Northern Ireland** would no longer

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be separated from UK BUT would nevertheless be subject to different customs. It would mean different regulations for Northern Ireland – more EU law in agriculture, the environment, state aid and other areas and there would also be checks on goods traded from Northern Ireland to the rest of the UK.

**Enforcing those laws will mean an EU presence: EU representatives will be present to enforce and implement the law relating to Northern Ireland, and the UK will have to facilitate their work and carry out necessary control measures**

No wonder the DUP are seething. As one DUP member said “Dublin would have more say (thru the EU) about NI than London!”

**Department for exiting the EU undermined** - *“Civil Servants would routinely return from Brussels with the fruits of their endeavours, often having strayed beyond Cabinet mandates or setting policy decisions in legally binding text before Ministers had even discussed them... The general approach always seemed to be: Don't upset Brussels... No wonder this deal cannot command the support of the majority of politicians – remain, leave, left or right. It has been forged, not by those who have a political pulse, but by those who are risk-averse, pro-remain and do not want Brexit to happen.”* - Suella Braverman, Former Minister DEXEU

Braverman says that the critical extension clause 132 which binds the UK to the EU indefinitely (until the EU agrees to our going) “Did not appear in any draft I saw”. Dominic Raab the Brexit Secretary of State had only seen an 80 page document. When he got to the critical Cabinet meeting there were 585 pages and the cabinet had not read them before the meeting! Raab wrote in his letter of resignation:

*“This is, at its heart, a matter of public trust,” he told the PM, concluding: “I cannot reconcile the terms of the proposed deal with the*

*promises we made to the country in our manifesto at the last election... I believe that the regulatory regime proposed for Northern Ireland presents a very real threat to the integrity of the United Kingdom. I cannot support an indefinite backstop arrangement, where the EU holds a veto over our ability to exit...”*

**Betrayals of democratic government - It is worth recalling that May was never elected leader of her party and her first general election she lost so many seats that she survived only with the help of the DUP's 10 seats.**

May set up the Department for Exiting the European Union – and then effectively abolished it, taking over the negotiations at number 10. The Brexit Secretary resigned. Now his successor as Secretary of State has also resigned.

May held meetings with Cabinet colleagues with no minuted record of the discussions.

At the crucial Cabinet meeting to approve the Deal she refused twice to have a recorded vote of the Cabinet.

On two occasions when May had concluded an agreement with the EU on Brexit the German Chancellor and then more recently the Irish Government knew what was proposed before the British cabinet or Parliament.

MAY did not consult her critical partners in Government, the DUP on the Draft Withdrawal Agreement. Civil servants were told to exclude DUP from planning emails.

May's red lines on immigration, customs union, Single Market, freedom of movement, ECJ jurisdiction, CFP have all either been overturned or compromised.

May even had the effrontery to threaten if she did not get support for her surrender Deal there could be “NO BREXIT AT ALL” – this despite Parliament having passed all the necessary legislation and Brexit will happen on 29th March – unless her Government decides otherwise.

May has even conspired with elements in the Labour Party to seek

their support for her Deal.

May lied in her public statements and interviews saying e.g. that “We will be able to negotiate trade deals” – which is word for word true *but none of those deal can be implemented until the EU says we can leave!*

May said that the Deal “does not involve the jurisdiction of EU court” but not only is that a lie for the duration of the “Transition” but for some matters that control lasts years longer! As Martin Howe QC has pointed out there was no precedent for the European Court binding a third party country in trade agreements – until they forced it on weak supplicant nations like Moldova, Ukraine, Georgia – and now the United Kingdom!!!!

May lined up a propaganda programme for her Deal – since put on ice. But that plan included Mark Littlewood of the Institute for Economic Affairs – who was not aware of the fact and in fact opposes it, saying: “If it were to pass it would close off almost all the opportunities opened up by Brexit”.

May has even said she did not like the Deal but we should not worry about it because the transition would come to an end and none of it would come into effect!

That's what buffoonish Tory MPs said before the disgraceful Maastricht Treaty...

So Mrs May (like all those Quisling Prime Ministers in the UK since 1972 (apart from Margaret Thatcher) has come to the conclusion that it is in the interests of the British nation to surrender the British nation to EU control – this time potentially indefinitely.

At least when Neville Chamberlain came back from Munich where Adolf Hitler had signed his “piece of paper” the then Prime Minister knew he was buying time to prepare for the war to come. Mrs May's piece of paper is a surrender document before a shot has been fired. At least Chamberlain's piece of paper DID NOT COST UK £40 BILLION.

# Why May's proposal is bad for the UK

*Forty reasons why Theresa May's draft proposal should be rejected*

*This article was first published in "The Spectator"*

According to an article published in mid-November in *The Spectator*, there are at least 40 horrors lurking in the small print of Theresa May's Brexit draft withdrawal deal, the article is reproduced below.

"This week (ending 11th November 2018), Theresa May's government teetered on the point of collapse over her proposed Brexit deal. The withdrawal agreement between the United Kingdom and Brussels led to Dominic Raab and Esther McVey resigning in protest. However, May's remaining ministers have since attempted to rally around her at least in the short term. Speaking on Friday, Liam Fox the International Trade Secretary gave a speech in which he declared 'a deal is better than no deal'. This is rather different to May's old claim that 'no deal is better than a bad deal'.

So, is Fox right?... best to let readers decide for themselves. In theory, Britain is leaving the EU on 29th March 2019. But the legal small print, published by Brussels, shows what this means. Parliament will be asked to ratify a deal which clearly admits that 'all references to 'Member States' and competent authorities of Member States shall be read as including the UK. (Article 7). So the UK will be bound by EU laws, at least during a transition period. But this 'transition period' can be made to last forever (Article 132). And even if a successor deal is agreed, the UK will have signed away other rights for years to come.

Just in case readers don't have the time to go through the lengthy document themselves, *Steerpike* has compiled a list of the top 40 horrors lurking in the small print of Theresa May's Brexit deal:

In summary: The supposed 'transition period' could last forever (Article 132).

The transition period does not end on 31st December 2020. Instead, the date is blank, confined to this century ('December 20XX'). So what we in fact get is: 'transition' of indefinite duration + extension indefinitely (by however many years we are willing to pay for) + all of those extra years from the 'plus 8 years' articles.

Should it end within two years, as May hopes, the UK has now signed up to clauses keeping us under certain rules for eight years. If we default on transition, we go in to the backstop with the Customs Union and, realistically, the single market. We can only leave the transition positively with a deal. But we sign away the money. So the EU has no need to give us a deal, and certainly no need to make the one they offered 'better' than the backstop. The European Court of Justice remains sovereign, as repeatedly stipulated. We have surrendered the rights we would have, under international law, to unilaterally walk away. What follows relates (in most part) for what is referred to as the transition period. But the language is consistent with the E.U. imagining that this will be the final deal.

## The top 40 horrors:

1. From the offset, we should note that this is an EU text, not a UK or international text. This has one source. The Brexit agreement is written in Brussels.

2. May says her deal means the UK leaves the EU next March. The Withdrawal Agreement makes a mockery of this. "All references to Member States and competent authorities of Member States shall be read as including the UK." (Article 6). Not quite what most people understand by Brexit. It goes on to spell out that the UK will be in the EU but without any MEPs, a commissioner or ECJ judges. We are effectively a Member

State, but we are excused or, more accurately, excluded from attending summits. (Article 7)

3. The European Court of Justice is decreed to be our highest court (Article 86) both citizens and resident companies can use it.

4. The UK will remain under the jurisdiction of the ECJ until eight years after the end of the transition period. (Article 158).

5. The UK will still be bound by any future changes to EU law in which it will have no say, not to mention having to comply with current law. (Article 6(2))

6. Any disputes under the Agreement will be decided by EU law only perhaps the most dangerous provision of all. (Article 168) Arbitration will be governed by the existing procedural rules of the EU law this is not arbitration as we would commonly understand it (i.e. between two independent parties). (Article 174)

7. "UNDERLINING that this Agreement is founded on an overall balance of benefits, rights and obligations for the Union and the UK" No, it should be based upon the binding legal obligations upon the EU contained within Article 50. It is wrong to suggest otherwise.

8. The tampon tax clause: We obey EU laws on VAT, with no chance of losing the tampon tax even if we agree a better deal in December 2020 because we hereby agree to obey other EU VAT rules for **five years** after the transition period. Current EU rules prohibit 0-rated VAT on products (like tampons) that did not have such exemptions before the country joined the EU.

9. Problems with the EU's definitions: 3.1. "Union law" is too widely defined. "UK national" we should not have agreed the Lisbon Treaty definition. That is giving away our right to define our citizens.

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# Why May's proposal is bad for the UK

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Definitions needed to include the term "goods" and the term "services" we are promised the deal will mean ONLY EU law in relation to 'goods' will apply. This is a non-defined term so far. This agreement also fails to define it.

10. The Mandelson Pension Clause: The UK must promise never to tax former EU officials based here such as Peter Mandelson or Neil Kinnock on their pensions, or tax any current ones on their salaries. The EU and its employees are immune to our tax laws. (Article 104)

11. The UK agrees not to prosecute EU employees who are or who might be deemed in future, criminals (Article 101)

12. The pre-existing rights of EU citizens are to be extended to citizens of Iceland, Liechtenstein, Norway and Switzerland. They will be pleased. (Article 33)

13. The EU's stupidest law ever the General Data Protection Regulation is to be bound into UK law (Article 71 to 73). So much for escaping this madness.

14. The UK is obliged to establish a 'Joint Committee' with EU representatives to guarantee 'the implementation and application of this Agreement'. This does not sound like a withdrawal agreement why does it need to be subject to continued monitoring? (Article 164). The Joint Committee will have subcommittees with jurisdiction over: (a) citizens' rights; (b) "other separation provisions"; (c) Ireland/Northern Ireland; (d) Sovereign Base Areas in Cyprus; (e) Gibraltar; and (f) financial provisions. (Article 165)

15. The agreement will last as long as the country's youngest baby lives. "the persons covered by this Part shall enjoy the rights provided for in the relevant Titles of this Part for their lifetime". (Article 39).

16. The UK is shut out of all EU networks and databases for security yet no such provision exists to shut the EU out of ours. (Article 8)

17. The UK will be tied to EU foreign policy, "bound by the obligations stemming from the international agreements concluded by the Union" but unable to influence such decisions. (Article 124)

18. All EU citizens must be given permanent right of residence after five years – but what counts as residence? This will be decided by the EU, rather than UK rules. (Articles 15-16)

19. Britain is granted the power to send a civil servant to Brussels to watch them pass stupid laws which will hurt our economy. (Article 34)

20. The UK agrees to spend taxpayers' money telling everyone how wonderful the agreement is. (Article 37)

21. Article 40 defines Goods. It seems to include Services and Agriculture. We may come to discover that actually 'goods' means everything.

22. Articles 40-49 practically mandate the UK's ongoing membership of the Customs Union in all but name.

23. The UK will be charged to receive the data/information we need in order to comply with EU law. (Article 50)

24. The EU will continue to set rules for UK intellectual property law (Article 54 to 61)

25. The UK will effectively be bound by a non-disclosure agreement swearing us to secrecy regarding any EU developments we have paid to be part. This is not mutual. The EU is not bound by such measures. (Article 74)

26. The UK is bound by EU rules on procurement rules which effectively forbids us from seeking better deals elsewhere. (Articles 75 to 78)

27. We give up all rights to any data the EU made with our money (Article 103)

28. The EU decide capital projects (too broadly defined) the UK is liable for (why on earth can't they say now oh yes, I remember, they're bust) (Article 144)

29. The UK is bound by EU state aid laws until future agreement even in the

event of an agreement, this must wait four years to be valid. (Article 93)

30. Similar advantages and immunities are extended to all former MEPs and to former EU officials more generally. (Articles 106-116)

31. The UK is forbidden from revealing anything the EU told us or tells us about the finer points of deal and its operation. (Article 105).

32. Any powers the UK parliament might have had to mitigate EU law are officially removed. (Article 128)

33. The UK shall be liable for any "outstanding commitments" after 2022 (Article 142(2) expressly mentions pensions, which gives you an idea as to who probably negotiated this). The amount owed will be calculated by the EU. (Articles 140-142)

34. The UK will be liable for future EU lending. As anyone familiar with the EU's financials knows, this is not good. (Article 143)

35. The UK will remain liable for capital projects approved by the European Investment Bank. (Article 150).

36. The UK will remain a 'party' (i.e. cough up money) for the European Development Fund. (Articles 152-154)

37. And the EU continues to calculate how much money the UK should pay it. So thank goodness Brussels does not have any accountancy issues.

38. The UK will remain bound (i.e. coughing up money) to the European Union Emergency Trust Fund which deals with irregular migration (i.e. refugees) and displaced persons heading to Europe. (Article 155)

39. The agreement will be policed by 'the Authority' a new UK-based body with 'powers equivalent to those of the European Commission'. (Article 159)

40. And, of course, the UK will agree to pay £40bn to receive all of these 'privileges'. (Article 138)"

*[It is hard to see how this draft agreement can in any way be described as true BREXIT!-ED]*

# Fact not Friction

*The ERG produced a report in November where they exploded the myths of leaving the Customs Union*

What follows is the executive summary of the European Research Groups report.

“The provision in the PM’s draft Withdrawal Agreement that could keep the UK indefinitely in the EU customs union is driven not just by concern that customs procedures needed outside a customs union would require a hard border in Ireland but by fears that they will impose costs, cause delays, disrupt supply chains and undermine economic growth. However, many of the problems ascribed to leaving the EU’s customs union are imaginary and most of the rest are exaggerated.

1. References to “customs paperwork” having to be “checked at the border” after Brexit conjure up visions of lorry drivers filling in forms which are then laboriously checked against their loads, causing delays and queues. In fact, virtually all customs declarations are made electronically ahead of arrival at a port; most consignments are cleared within seconds of arrival; a tiny percentage are physically checked as a result of risk assessment by HMRC computers or intelligence information; and such checks may be carried out away from the border at importer’s premises or warehouses.

2. Most checks relate to dutiable goods, drugs or illegal immigrants and are made on the basis of risk or intelligence information. HMRC do not expect any of these risks to increase or new risks to emerge as a result of Brexit so they will not require more checks than at present. The same is true for checks of food, plants and animals. In any case they will ‘priorities flow over compliance’ to prevent congestion.

3. It is often assumed that there are no border procedures or checks on trade with the EU at present. Yet, in fact, companies have to report their transactions with EU countries

separately in their VAT returns; pay duty on tobacco and alcohol (which yield far more revenue than tariffs would in the event of ‘no deal’); they may be searched for illegal drugs or immigrants; drivers must show their passports; and companies of any size must submit details of their intra-EU trade to Intrastat. All but the latter (which will be replaced by customs declarations) will continue post Brexit and constitute the major element of border compliance.

4. The claim that WTO rules require checks to be made at the border is incorrect. Checks of customs declarations are carried out electronically and physical checks often made at importer’s or exporter’s premises. Even the Union Customs code, which requires agri-food checks at border inspection posts ‘in the vicinity of the border’ allows them to be as far as 40 kms inland. This is particularly important for avoiding infrastructure and checks at the Irish border.

5. Just-in-Time supply chains do not operate exclusively within the EU. Indeed, a fifth of components imported by UK motor manufacturers come from outside the EU, and their timely arrival is just as essential to the reliable operation of assembly lines. They are subject to customs procedures that do not cause the problems supposed to be likely when applied to future imports from the EU.

6. The assumption that free trade agreements impose far more burdens on trade than do customs unions is not born out by economic studies or in the real world. Surveys of the literature show that free trade areas – e.g. NAFTA - are more ‘trade creating’ than the EU customs union. Businesses in Switzerland, Norway and other EEA countries are not complaining about completing customs declarations let alone calling to convert their free trade arrangements into a customs union.

This may be because they welcome the free trade agreements their countries have been able to negotiate which would not be possible within a customs union. The Swiss have FTAs with countries whose combined GDP is three times that of the FTAs negotiated by the EU.

7. Although Switzerland and Norway have fewer checks on product compliance because they comply with EU single market rules the customs declarations required at their borders with the EU are similar to those that will be required at the UK border and they too have to comply with rules of origin.

8. Of course, we should endeavour to minimise the cost of compliance with customs procedures. But as the Chair of the European logistics and customs association has said: “All the ingredients to ensure a smooth exit process of the UK from the EU and which allow almost frictionless trade after the exit, are already available [in the Union Customs Code].” So we do not need to negotiate simplified customs procedures.

9. The HMRC estimate of the cost of completing customs declarations is an order of magnitude larger than actual costs incurred by companies and reported by the Swiss authorities. The HMRC figure is based on the charges by customs agents for large consignments of complex products. It ignores the fact that over two thirds of businesses complete their own declarations because it is cheaper and that for the small repeat consignments that characterise UK/EU trade the cost of replicating declarations is negligible compared with the cost of the initial declaration.

10. Official estimates of the cost of complying with rules of origin are even less defensible. They are based on outdated and irrelevant studies of trade between underdeveloped countries and

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# Fact not Friction

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the USA or the EU. A more recent authoritative study by the WTO shows that, except for infrequent consignments, the costs of complying with rules of origin are 'negligible' – they do not even wipe out a 1% tariff preference. Moreover, the new REX system – which the EU has agreed to extend to the UK post Brexit – further simplifies the procedure for declaring origin.

11 A particular concern has been fear that lengthy delays at ports and consequent congestion on motorways will disrupt plants dependent on Just-in-Time supply chains (JIT). As explained, HMRC do not expect more checks on imports from the EU post-Brexit and will priorities flow over

compliance. The fear is, however, that delays – either deliberate or through lack of preparation – on vehicles arriving at Calais from the UK will cause a back-up of vehicles extending back over the channel and up the UK motorway system, interfering even with supplies coming in the opposite direction. Deliberate delays would be a breach of three treaty commitments (the original WTO treaty, the Trade Facilitation Agreement (FCA) and the Lisbon Treaty requiring the EU to behave in a neighbourly fashion towards adjacent states). Of course, legal redress would take time but ports in Belgium and Holland are eager to take trade away from Calais.

Moreover, queues resulting from problems at Calais are not unknown.

Operation Stack has had to operate on 211 days since 1998 and did so for 23 almost continuous days in 2015 with delays of 35 hours. Yet just-in-time plants appear to have managed since none were reported halting production.

12. It is natural that businesses contemplate the worst possible consequences in the event of the UK leaving without an agreement – due to lack of preparation combined with hostile non-cooperation by the EU. Sadly some commentators present these scenarios as if they represent what would be a permanent situation post-Brexit. But most such problems are not merely unlikely but, if they happen at all, essentially temporary.”

*(The ERG is a group of Conservative MPs who support Brexit)*

## Britain still leading on FDI

Recent figures according to a report by IBM showed that Britain is the number one destination for foreign direct

investment in Europe. Britain is the fifth most favoured place in the world for FDI.

The fact is that London is ranked as

the number one destination in the world, while Manchester, Liverpool and Birmingham are also in the top twenty.

## Finances of migrant workers

Migrant workers in the UK many in low-paid jobs, are sending £8 billion a year to support families in their home country, according to a report from the United Nations'

Education Agency.

This is often used help relations in poorer countries to stay in school.

However, UNESC warns too much of this “hard-earned money” is being

taken in financial transfer charges.

How low-paid workers can afford to spare this money is not explained, but the idea of migrants living on the bread line must be questioned.

## Migration figures

The number of EU citizens moving to the UK has continued to drop, but more people coming from elsewhere means the overall migration rate is unchanged, according to the figures just released from from the Office for National Statistics (ONS).

Figures show net migration - the difference between how many people came to the UK for at least 12 months and how many people - was 273,000 last year.

EU net migration was 74,000 in the year to the end of June 2018, while

non-EU net migration was 248,000.

The ONS also said that more Asian citizens had been moving to the UK for work.

i.e. EU workers can easily be replaced by non-EU workers, hence no-need for preferential treatment.

## Vacuum cleaners

Last month the inventor Sir James Dyson won a victory over the EU vacuum cleaners efficiency tests.

Dyson famous for his revolutionary vacuum cleaners, argued at the General Court in Luxembourg that the tests discriminate against Dyson's patents

regarding his vacuum cleaners, in favour of German companies.

He said “ Some manufacturers have actively exploited the regulation by using low power when in the test site, but then using technology to increase motor power when the machine fills

with dust - thus appearing more efficient.”

According to Dyson his rivals were “gaming the system”, he went on to say “it is essential consumers can trust what manufacturers say about their products”.

# EU Single Market

*Extract of “Chequers: the Single Market by another name” report by Global Britain*

The UK government appears to be trapped in the belief that membership of the EU Single Market is so critical that it must be preserved at any price despite the 2016 referendum result.

Sir Peter Lilley in conjunction with Global Britain has evaluated this idea.

As he explains: “Locked into the failing EU ‘Single Market’ and its common rule book the UK has run up a huge and growing deficit with the EU. Despite this we are able to run a surplus with the rest of the world. This seems paradoxical - we are failing where we are tied to the EU structure, currently legally - and yet succeeding with the rest of the world.

The Single Market is the world’s slowest growing bloc. That has been the case for a generation now. It is highly regulated and has failed to play to the UK’s strategic advantage - services. This has cemented a perpetual and growing UK trade deficit with the EU.

The EU’s economic under-performance is due to many factors but one of them is the extraordinary

burdensome and bureaucratic regulatory framework of the EU customers and consumers are forced to adopt. Remaining in that structure will make it almost impossible to strike beneficial trade deals while maintaining significant additional costs to consumers. Moreover, regulatory creep goes well beyond frictionless trade into areas like the environment, employment law and social protection, all areas the UK Parliament would be much more able to legislate for effectively.

It is critical to understand that one does not need to be inside or part of the Single Market to trade with it. It is an enduring fallacy that Single Market membership enhances trade - it does not. All countries, with a tiny number of exceptions of those under sanction (like Syria or North Korea) have full access to the Single Market.

Take China for example, it is not a member but enjoys growing trade with the EU, as does the US and Australia. Indeed none of those examples have any special trade deals with the EU but trade flows freely under World Trade

Organisation (WTO) guidance. All of them can trade freely with any EU nations. Yes, all countries need to comply with Single Market regulation, just as all countries, exporting to China have to accept its local standards, but it is absolutely the case that there is open access to trade for all nations outside the EU, or European Economic Area (EEA) structures....

....The UK broadly pays its way with the rest of the world but runs consistent massive deficits with the EU. Indeed in 2017 that EU current account deficit amounted to £96 billion, or almost 5% of GDP....

...The evidence suggests that the problem of the UK's trade deficit with the EU is a common rule book that weakens our ability to trade effectively and where it is non-existent or hardly developed we trade more effectively. This would explain why the UK can be more successful in trading services to the US, than with the entire EU. The Single Market has been designed to largely benefit the strategic advantage of France and Germany in particular, greatly to the detriment of the UK....”

## Hidden costs of EU membership

Yet again we see the real face of EU membership for the lives of ordinary people this time in France.

French president Emmanuel Macron, a hard-nosed EU supporter has been putting his country through significant economic change in order to follow the EU economic policy.

The latest protests over the last few weeks has come about over fuel tax increases but has grown into a general anger at the higher living costs imposed on the French people.

The protesters - known as the yellow vests, due to their mainly wearing yellow vests - have been subjected to rubber bullets fired by the French police as well as the usual assault by water cannons and tear gas.

Since the demonstration started

there has been a number of fatalities amongst the protesters.

Is this a further price that the people have to pay for their continued EU membership which many of our elected politicians appear to support regardless?

Maybe taking to the streets is the only way that politicians will respond to public concerns?

Meanwhile in Spain a far-right party (Vox) has won seats in a Spanish regional election for the first time in decades.

The Vox party took twelve parliamentary seats in Andalusia on Sunday 2nd December, beating expectations that it would only win five seats.

Tough on immigration, Vox could be

a kingmaker in a coalition in Andalusia.

Its breakthrough is the latest in a nationalist surge that has swept across Europe.

Many had thought Spain was immune because of memories of life under a fascist dictatorship.

The EU schengen policy of open borders is now falling apart as individual members are having to protect their economies from the vast levels of uncontrolled immigration by re-introducing border controls.

Furthermore, the economies of Italy, Spain and Greece to name but a few are struggling to survive under the EU’s financial rules and many are having to subject their citizens to more financial hardship!

# LETTERS

Tel: 08456 120 175 email: [euofacts@junepress.com](mailto:euofacts@junepress.com)

## The threat of Chequers

Dear Sir,

Early in October I attended a public meeting of the Bruges Group in Birmingham. There I heard three MPs, Andrea Jenkyns, Owen Paterson and Priti Patel, inform a packed and attentive audience of their alarm over Theresa May's Chequers proposals. They spoke of their fears over what might, as a result of these proposals, be negotiated away to the EU by Whitehall mandarins and weak-willed ministers. If the Chequers proposals lead to a compromising 'soft' exit from the EU, we might find that our country is still in thrall to the willfulness and incompetence of EU policy-making. The three MPs promised resolute opposition to a watered-down, half-hearted Brexit that still denies us national self-government and the democratic control of our own affairs.

The argument of the MPs was illuminated by the meeting that followed directly afterwards – arranged by 'Fishing For Leave' – with MPs Ross Thompson and Owen Paterson alongside fisheries campaigners Paul Lines and Aaron Brown. They expressed deep anxiety over what is being concocted in Whitehall. Aaron Brown explained that as far as British fishermen are concerned we have nothing to fear from a clear-cut 'no-deal' exit from the EU. This is not the worst option but the best! The day we leave the EU, the disastrous Common Fisheries Policy (CFP) will lapse and we shall immediately regain control over our waters up to 200 nautical miles or the mid-line in the Channel and North Sea as our Exclusive Economic Zone. The blatant unfairness of the CFP to British fishermen would immediately stop. Under this appalling policy 75% of the fish resources around Britain have been shared out to other EU states. The fishing fleets of these states have been taking 59% of the fish taken in UK waters. Furthermore, supine

British politicians have allowed EU-owned fleets to buy 50% of the remaining UK fishing entitlement for England and 90% for Wales. As a consequence of this, 60% of the fishing fleet we used to maintain has been scrapped, bringing unemployment, dislocation and misery to many of our coastal communities.

These treacherous politicians failed to foresee that the transfer of our resources into foreign hands would lead to the tragedy of over-fishing, even though irresponsible French and Spanish trawling off Newfoundland and off West Africa has been catastrophic. The EU apparatchiks reacted to over-fishing in a way typical of the bureaucratic mind-set. Their new policy, with imposed catch limits, did nothing for the conservation of fish-stocks, but triggered off the discarding at sea of thousands of tons of prime fish. Far from reducing catch, the CFP policy has encouraged EU fishing fleets to keep catching and discarding until all their species' quota was complete. British fishermen are desperate that Brexit ends forthwith the EU's incompetent and destructive control over our fishing-grounds.

The Chequers compromise threatens to undermine our taking back control over our seas. We may leave the EU on 29th March 2019 but then hand back control to the EU as part of some nebulous transition process. The EU, back in charge, could instruct us to give away even more than the 60% of our catch from our waters that foreign fleets already take. It could abolish the 12 mile limit that protects our inshore and shell fisheries. The EU could even order the destruction of our remaining fishing fleet and then claim under international law that, as we had no fishing fleet, we had no right to keep our fishing grounds for ourselves.

Our identity as a nation has been forged by our experience of the sea. Our navy goes back to King Alfred's reign and our fishing heritage back even further. The fishing industry,

moreover, symbolises what our entire nation has suffered over the past forty-five years of EU membership. We have been betrayed by those who govern us who have refused to put our nation's interests first and kowtowed to the claims of others.

We now have under four months in which to insist on a real exit from the EU. 'Take Back Control' is not a vague or imprecise slogan. It means what it says – we want our seas, our fish, our resources back with no compromise or fudge. We must raise our voices and make sure that Theresa May and the Whitehall mandarins advising her know exactly how this nation feels about the future of our seas and our coastal communities.

GEOFFREY LITTLEHJOHNS  
Nottinghamshire

## EU finances

Dear Sir,

I wonder how many people understand how the EU spends taxpayers' money?

It appears that the EU gave £52 million to European political parties to fight the 2014 European elections, how much they will give towards the 2019 elections is not yet known.

It has also given money to the National Farmers Union, National Union of Students, IMF, CBI, OECD, Institute for Fiscal Studies, Universities UK, London School of Economics, TUC, GMB, and the European Trades Union Congress to name but a few.

This may go a long way to explain why these organisations wish to remain inside the EU for purely financial gain.

We must not also forget that Deutsche Bank spent 3,962,00 euros lobbying the EU in the first six months of 2015.

Add this to the propaganda - described as information centres - that the EU spends on the UK library service to win over public support  
SIMMON LENNARDS  
Essex

# LETTERS

Tel: 08456 120 175 email: [eurofacts@junepress.com](mailto:eurofacts@junepress.com)

## More threats

Dear Sir,

I have just read an interesting article regarding the affects of fear tactics employed by EU members.

First it was banks; now it appears that Ireland is targeting television channels based in the UK who may need to relocate to another EU country after Brexit in order to continue broadcasting across the bloc.

Its foreign investment authority has launched a charm offensive in London with the aim of persuading channels to follow Barclays and others to locate their EU-regulated HQ in Dublin.

All are likely movers according to Martin Shanahan, the head of the country's Industrial Development Authority, on a visit to London.

It's emerged the Irish media regulator has received its first licence application from a UK-based broadcaster seeking to maintain distribution after Brexit.

Speaking at the Mediacon television and content conference in Dublin, Michael O'Keeffe, chief executive of the Broadcasting Authority of Ireland (BAI), confirmed the regulator had received such an application but declined to say who from.

Broadband TV News understands that German regulators have received similar requests.

Over 500 pan-European channels currently use an Ofcom-issued licence and the United Kingdom is the most significant hub for linear and on-demand services targeting other countries.

Were a 'No deal Brexit' to become a reality such licences might become invalid.

Media consultant Simon Kelehan told Broadband TV News that the Irish

regulatory environment was probably the closest to the UK in terms of advertising codes and sponsorship rules.

Ireland was placed first in a study by Expert Media Partners (EMP) on which territories would hold the best alternative to UK licensing. EMP's criteria included regulatory environment, ease of doing business and the quality of life. The Netherlands was second, and Luxembourg third.

DAVID CRAWLEY  
Manchester

## Referendum games

Dear Sir,

Yet again we see that politicians believe that if you don't like the result of a referendum, then just play the fear factor then demand a new referendum.

Should the second result be what you want they want no matter how close, the politicians will then accept that as the real result.

What they forget is that the loss of sovereignty, democracy and electoral voting will be the result. Just getting their own way is all that matters.

No point in voting for an MP then!  
SUSAN DAVIS  
London

## Voting for what

Dear Sir

I trust that when anyone who has ever voted for the Conservative Party looks in a mirror they say:

I voted for the Conservative Party, therefore:

I voted to condone colossal lies and deceit over 45 years up until the present time,

I voted for hypocrisy, treachery and treason,

I voted to lose my vote,

I voted to allow unrestricted immigration into the UK,

I voted to throw away vast sums of hard earned taxpayers money into the corrupt and un-democratic EU and,

I voted to destroy the United Kingdom, this once great country of ours, from being a sovereign, independent and democratic nation so that it would become a vassal state of the EU and be governed by un-elected, un-sackable and un-worthy foreigners.

The same can be said about Labour and Lib Dem voters.

J. WRAITH  
Wiltshire

## Mindset

Dear Sir,

After 45 years of being in the EU, the notion that "This is the best deal we can get, therefore we need to go with it," has taken hold. It is entrenched in the outlook of some MPs, officials, members of government and others.

Instinct for being independent has been significantly lost and is in much need of regeneration. A habit of mind that infiltrates deference to a remote bureaucracy is pervasive, inhibiting rational thought and clear-sighted action.

Once we are clear of this mindset, a course of action becomes clear and sensible. The US has said it would be happy to conclude a trade deal with the UK. Canada, Australia, New Zealand, India, could be expected to follow, as would many other countries.

Hopefully, we are about to be liberated, not only from the EU bureaucracy, also from inhibitions that have over-shadowed our minds.

RALPH MADDERN  
Warwickshire

*eurofacts wishes its readers the compliments of the season.  
Our next issue will be published on 8th February 2019.*

# MEETINGS

**Gresham College**  
020 7831 0575

Wednesday **23rd January 2019**,  
6.00 pm

*“Reforming Corporate Governance”*

**Alex Edmans**, *Mercers’ School  
Memorial Professor of Business*

PUBLIC MEETING  
The Museum of London, London Wall,  
London EC2  
**Admission Free**

**Gresham College**  
020 7831 0575

Wednesday **6th February 2019**,  
6.00 pm

*“Global Traffic, Trade, and the  
Metamorphosis of England”*

**Professor Nandini Das**, *University of  
Liverpool*

PUBLIC MEETING  
The Museum of London, London Wall,  
London EC2  
[Access via stairs, escalators or lifts  
from Aldersgate Street]  
**Admission Free**

**Gresham College**  
020 7831 0575

Thursday **7th March 2019**, 6.00 pm

*“Politics and the Legal Profession”*

**Jo Delahunty QC**, *Gresham Professor  
of Law*

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Barnard’s Inn Hall, Holborn, London  
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**Gresham College**  
020 7831 0575

Wednesday **13th March 2019**, 6.00  
pm

*“Brexit and the Future of Britain”*

**Vernon Bogdanor**, *Emeritus Professor  
of Law*

PUBLIC MEETING  
The Museum of London, London Wall,  
London EC2  
**Admission Free**  
**(Reservations Required)**

**Gresham College**  
020 7831 0575

Tuesday **2nd April 2019**, 1.00 pm

*“Political Spending on the Internet”*

**Professor Lori Ringhand**, *University  
of Aberdeen*

PUBLIC MEETING  
The Museum of London, London Wall,  
London EC2  
**Admission Free**  
**(Reservations Required)**

## DIARY OF EVENTS

UK Parliament **20th December**  
Christmas Recess Starts

**2019**

Romania takes over **1st January**  
EU Council Presidency

UK Parliament **7th January**  
Christmas Recess Ends

Official date **29th March**  
for completion of  
Article 50 negotiations  
between the UK and the EU  
and start of a possible ‘Transition  
Deal’ due to end in December 2020

EU post-Brexit Summit **May**  
Sibiu, Romania

EU MEP elections **23rd-26th May**

Finland takes over **1st July**  
EU Council Presidency

## USEFUL WEB SITES

**British Constitution Group**

[www.britishconstitutiongroup.com](http://www.britishconstitutiongroup.com)

**British Future**

[www.britishfuture.org](http://www.britishfuture.org)

**British Weights & Measures Assoc.**

[www.bwmaonline.com](http://www.bwmaonline.com)

**Bruges Group**

[www.brugesgroup.com](http://www.brugesgroup.com)

**Campaign Against Euro-Federalism**

[www.caef.org.uk](http://www.caef.org.uk)

**Campaign for an Independent Britain**

[www.campaignforanindependentbritain.org.uk](http://www.campaignforanindependentbritain.org.uk)

**Change Britain**

[www.changebritain.org](http://www.changebritain.org)

**Concordance**

[www.concordanceout.eu](http://www.concordanceout.eu)

**Democracy Movement**

[www.democracymovement.org.uk](http://www.democracymovement.org.uk)

**EU Observer**

[www.euobserver.com](http://www.euobserver.com)

**EU Truth**

[www.eutruth.org.uk](http://www.eutruth.org.uk)

**European Commission (London)**

[www.cec.org.uk](http://www.cec.org.uk)

**European Foundation**

[www.europeanfoundation.org](http://www.europeanfoundation.org)

**Freedom Association**

[www.tfa.net](http://www.tfa.net)

**Futurus**

[www.futurus-thinktank.com](http://www.futurus-thinktank.com)

**Get Britain Out**

[www.getbritainout.org](http://www.getbritainout.org)

**Global Britain**

[www.globalbritain.org](http://www.globalbritain.org)

**Global Vision**

[www.global-vision.net](http://www.global-vision.net)

**GrassRootsOut**

[www.grassrootsout.co.uk](http://www.grassrootsout.co.uk)

**June Press (Publications)**

[www.juneypress.com](http://www.juneypress.com)

**Labour Euro-Safeguards Campaign**

[www.lesc.org.uk](http://www.lesc.org.uk)

**Leave means leave**

[www.leavemeansleave.eu](http://www.leavemeansleave.eu)

**Leave.eu**

[www.Leave.eu](http://www.Leave.eu)

**New Alliance**

[www.newalliance.org.uk](http://www.newalliance.org.uk)

**Open Europe**

[www.openeurope.org.uk](http://www.openeurope.org.uk)

**Save Britain’s Fish**

[www.ffl.org.uk](http://www.ffl.org.uk)

**Statawatch**

[www.statawatch.org](http://www.statawatch.org)

**The Taxpayers’ Alliance**

[www.taxpayersalliance.com](http://www.taxpayersalliance.com)

**United Kingdom Independence Party**

[www.ukip.org](http://www.ukip.org)

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Freedom Association	0845 833 9626
Labour Euro-Safeguards Campaign	020 7691 3800
New Alliance	020 7385 9757
Fishing Association	01224 313473

### CROSS PARTY THINK TANKS

British Future	www.britishfuture.org
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Global Britain	www.globalbritain.org
Global Vision	www.global-vision.net
Open Europe	0207 197 2333

### POLITICAL PARTIES

Conservative	020 7222 9000
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Green Party	020 7272 4474
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