

## The Labour Party position on Brexit

This is my personal note on the position as outlined by Keir Starmer, Shadow Secretary of State for Brexit to the Fabian Conference on 18 May 2018. Any mistakes or misunderstandings are entirely my own!

### The history

The referendum result was regrettable but valid, so unless something significant happens we will be leaving the EU. The form and timing of that leaving is far from clear, mainly because the Tory Party is unable to agree whether it wants a close or distant relationship with the EU. Until this is resolved, there can be little progress. A close relationship brings many of the economic advantages of membership, but requires shared institutions and rules to ensure a level playing field for businesses and citizens. A distant relationship implies divergence, but Brexit Ministers are reluctant to admit what regulations they wish to abandon, and at what cost. Economically it is vital that we retain close trading links. Two thirds of all UK trade is with the EU, or countries covered by EU trade agreements.

Theresa May's speech in October 2016 was a premature, and defining moment. It took a much harder position than anyone had expected, and closed a series of doors. Far from reflecting or seeking to heal the deep divisions in the electorate revealed by the result, it took an extreme position which was a surprise to most people in the UK and the EU.

The Labour Party proposed six tests for a withdrawal agreement with the EU (see below). All are based directly on statements from Ministers following the October 2016 speech, including a deal which would deliver "the exact same benefits" as our current membership. In March 2017 Theresa May said that she would deliver on all six, and opposed Labour's proposal for a transition period, (which she has since conceded).

### The future

If we leave the EU, we cannot retain "membership" of the customs union or the single market, because both are integral parts of the EU Treaties, from which we are withdrawing. A close relationship would therefore imply new separate agreements to mirror these. The "Norway option" is an example of such an agreement, negotiated to suit the particular circumstances of the Norwegian economy.

It is unlikely that we will see any detail on the deal until late in the transition period, by which time we will have left the EU. We could then only return to the EU as a new applicant, under Article 49, which requires us to join the Euro and Schengen, making a vote to join much less likely.

### Labour's current position

Labour's current position, outlined in Jeremy Corbyn's Coventry speech, is that:

- The deal must meet all the six tests,
- we should remain in the customs union (partly to guarantee the undertakings on the Irish border),
- we should retain all the current standards, rights and protections afforded by the Single Market.
- the Irish border agreement must be enshrined in law
- the current rights of EU citizens should be guaranteed unconditionally.

The focus of Labour policy is on restoring control of the process to Parliament, rather than campaigning for the peoples' vote. Among the 15 House of Lords amendments to the Withdrawal Bill, Labour is prioritising three:

- The “meaningful vote” amendment, which would restore control to Parliament if the motion to accept the negotiated agreement is defeated
- The customs union amendment, which would commit us to a customs union between the UK and the EU customs union.
- The commitment to no border in Ireland, which would commit us to the customs union (and perhaps more)

The door is not closed to a people's vote, but it is not current policy, on two grounds:

- **Logistical:** by October, it is unlikely that the “deal” will be clear in anything more than outline, so people will still be voting blind, with the same disadvantages as the first vote.
- **Democratic:** current polling suggests that it would be deeply divisive, and might well produce a narrow and contested result, further weakening faith in democratic processes

When the Government brings the deal to Parliament in October/November 2018, the Labour Party will measure the deal against the six tests and vote against it if it fails.

The Government is in disarray, and seriously afraid that it will lose its legislation. Two Brexit Bills (on Trade and Customs) completed their Committee Stage on 1<sup>st</sup> February. Neither has returned to the House (normally this happens within a week or two).

The Labour Party is aware that things can change rapidly, and has not closed the door to change if circumstances, or public opinion, change.

### [Labour's Six Tests of a Brexit agreement](#)

1. Does it ensure a strong and collaborative future relationship with the EU?
2. Does it deliver the “exact same benefits” as we currently have as members of the Single Market and Customs Union?
3. Does it ensure the fair management of migration in the interests of the economy and communities?
4. Does it defend rights and protections and prevent a race to the bottom?
5. Does it protect national security and our capacity to tackle cross-border crime?
6. Does it deliver for all regions and nations of the UK?

Stephen McNair

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