



The Rt Hon Boris Johnson MP  
10 Downing Street  
London SW1A 2AA

02 November 2020

Dear Prime Minister,

**Important message from 16 organisations reflecting the views of millions of voters**

Never before have so many Brexit organisations combined behind one message to Government. Collectively we reflect the views of millions of voters who took you at your word that there would be no political alignment with the EU, and we urge you to read what follows.

Today, Monday 02 November, there are just **60 days** until the end of the Transition Period, at which point the UK will enter into a new relationship with the EU. As things stand, this new relationship will be governed by the ongoing Withdrawal Agreement, including its Northern Ireland Protocol, and will be influenced by the Political Declaration. (WA/PD)

Any trade deal struck by the UK Government with the EU before 31 December **must not leave in place the onerous and unacceptable obligations of the WA**, several of which fail to meet normal standards for international treaties between sovereign countries. **These failings will become increasingly apparent as the country nears the next general election.**

**The UK Government must act to rescind and void the WA** - or to amend it very substantially, which the EU has said it will not do – before 31 December, irrespective of any trade agreement which might be agreed between the parties. Such action is justified under the 1980 Vienna Convention on the Law of Treaties. The summary details of why this is essential and legal under international law are overleaf.

We call on you, Prime Minister, to take this action in order to deliver on your General Election manifesto promises of December 2019, or else face millions of voters who will feel utterly betrayed.

Please do not let the country down.

The following groups endorse this message:-

Brexit Facts4EU.Org, Alliance of British Entrepreneurs, Brexit-Watch, The Bruges Group, Get Britain Out, Global Britain, Green Leaves, Invoke Democracy Now, Labour Leave, Out and Proud, Scientists for Britain, Scots for Leave, The City for Britain, The Time Party, Think Scotland, Veterans for Britain

I am a voter and I endorse this message most strongly.

Name: .....

Address: .....

Signed:

## WHY THE WITHDRAWAL AGREEMENT MUST BE RESCINDED

**The EU's Withdrawal Agreement (WA) splits the United Kingdom, leaves it subject to EU law for generations to come, and involves a massive and complex divorce bill, the size of which we still don't know.**

Unless specific steps are taken to rescind the WA, it will continue to apply to the UK for the long term with debilitating effects on our laws, freedom of action, and sovereignty – **with or without a trade deal.**

The Withdrawal Agreement and Political Declaration, which define the nature of Brexit, were predicated on the EU acting in good faith in the prompt negotiation of a trade deal with the UK.

The EU has patently failed to use its best endeavours in fulfilling this obligation and is therefore in **material breach of the Agreement**. This gives the right to the UK Government to rescind the Agreement and it must do so before 31 December 2020.

The UK will **not even be able to trade "on Australian terms"** unless the WA is rescinded or amended. This is because the WA/NIP imposes EU state aid rules which supersede WTO subsidies rules, and it also imposes special customs/tariff procedures on part of the United Kingdom (Northern Ireland) which the WTO arrangement does not do. The EU's WA also expressly excludes WTO dispute settlement procedures for these issues.

A part of the sovereign territory of the UK (Northern Ireland) will have its laws on goods and agriproducts **under the direct jurisdiction of the EU and ECJ**. Furthermore, it will be subject to EU customs control procedures and to EU VAT rules and will be subject to direct EU State aid control by the EU Commission. As a consequence, aid to businesses **in the whole of the UK** will be subject to EU state aid control. Moreover, the EU now takes such a wide interpretation of "state aid" that the WA will also restrict the UK's taxation policies.

In effect the EU has used the WA/NIP to annex Northern Ireland (and now seeks to do the same to UK fishing resources) in breach of UN Resolution 2625 which requires, among other things, that:

*"No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind." and "Every State shall refrain from any action aimed at the partial or total disruption of the national unity or territorial integrity of any other State or country."*

The act of rescinding the WA is also justified under the 1980 Vienna Convention on the Law of Treaties.

**In addition to many other serious failings, the WA and PD mean that:**

- 1. Parliament will not be sovereign** -In important respects (notably relating to immigration, state aid, tax and financial obligations), UK will still be governed by existing and new laws of the EU, interpreted by the ECJ – a foreign court – and with no say over these laws. [WA articles 4, 87, 89 and 127, PD para 131]
- 2. The WA replaces one EU Commission with another** - New body established with "**powers equivalent to those of the European Commission**". UK must accept exclusive jurisdiction of Arbitration Panel and judgments of ECJ. Grants EU officials criminal immunity and exemption from UK tax. Imposes gagging order on UK, which must keep all EU information confidential but EU can use UK information as it sees fit. [WA articles 74, 101, 104-5, 106-116, 159, 168, 174]
- 3. The WA demands payment of a sum to be decided by the EU** – It's the EU that decides the final sum and it will be many tens of billions. [WA articles 138-144, and 152-155]

**When the UK exercised its right to leave the EU, it participated in the WA process on the basis of an essential condition:** agreement on a future permanent arrangement with the EU that enshrines UK sovereignty and secures an FTA. The NI Protocol and other aspects of the WA are incompatible with the agreement intended for the end of 2020. The EU has been acting in breach of material terms of the WA, meaning that **the treaty was entered into on a false premise.**

# List of signatories to letter to the Prime Minister

## Groups

Brexit Facts4EU.Org  
Alliance of British Entrepreneurs  
Brexit-Watch  
The Bruges Group  
Get Britain Out  
Global Britain  
Green Leaves  
Invoke Democracy Now  
Labour Leave  
Out and Proud  
Scientists for Britain  
Scots for Leave  
The City for Britain  
The Time Party  
Think Scotland  
Veterans for Britain

## Individuals (all signing in a personal capacity)

Professor David Blake  
Dr David Bull, former MEP  
Jonathan Bullock, former MEP  
Michael Burrage, entrepreneur and Senior Research Fellow  
Professor David Campbell  
Professor Tim Congdon CBE  
Paul Cowdell, former Senior Lecturer, Corporate Treasury and Risk Management  
Martin Daubney, former MEP  
Professor Kevin Dowd  
Nathan Gill, former MEP  
Professor Daniel Hodson, former CEO of LIFFE, former FD of Nationwide BS  
Dr Andrea Hossó, economist and investment specialist  
Christina Jordan, former MEP  
Lesley Katon, CEO  
Rupert Lowe, former MEP  
Belinda de Lucy, former MEP  
Catherine McBride, economist  
June Mummery, former MEP  
Henrik Nielsen, former MEP  
Jake Pugh, former MEP  
June Slater, Brexit campaigner  
John Tennant, former MEP  
Gawain Towler, former Director of Comms, The Brexit Party  
James Wells, former MEP  
The Rt Hon Ann Widdecombe DSG, former Minister, former MEP