

House of Lords Debate on UK Withdrawal from the EU and Potential Withdrawal from the Single Market Thursday 27 January 2017

1.12 pm

Lord Owen (Ind SD)

My Lords, the rights of EU citizens already living in this country are a matter of honour and it is wholly appropriate that this House should direct its attention to that issue. It is not only a matter of honour for people in this country. We talk about Article 50, but Article 8 deals with good neighbourly relations between member states. Negotiation is an inaccurate word to describe our proceedings on Article 50; rather, it is a discussion. If this discussion is to produce what I call an amicable divorce, it is essential that we are all aware that there is more than Article 50, and that Article 8 should be one of the touchstones of the negotiation. I agree with the plea of the noble Lord, Lord Balfe, in relation to British citizens who have served the European Union in many institutions. We urged them to go and work there—they were part of our membership of the European Union. We have an obligation to see that they are properly looked after in terms of redundancy and other aspects, and that the cost is borne by this country as it is our decision to leave. I believe that is also an essential element. I mention Article 50 very briefly. It is a trap and was designed by two extremely clever people, one of whom I believe is in this House, sitting below me. The other was a former Prime Minister of Italy, Signor Amato. Both claim credit for this and boast that it was designed specifically never to be used. The more you look at it, the more surprised you are that any Government have ever used it. I have made it quite clear throughout that I do not believe it is appropriate to use Article 50 and that it would be much better to use the Vienna procedure for leaving a treaty, which has been established over many decades. Nevertheless, we are into Article 50. There is an absolute necessity for the Government not to conduct their negotiation against a cliff edge. There are various ways of doing this and I have suggested some to them. However, at the end of the day, you can certainly limit the negotiating period not to two years but to a year or a little more so that your people have some months at least in which to prepare to leave the European Union. At the moment nothing protects us from the cliff edge. You can imagine circumstances in which you are negotiating in good faith and perhaps the 27 other member states agree with you. The matter then has to go to the European Parliament,

which is famous, particularly in the run-up to elections, for delivering a bloody nose to member states to prove its own virility. The matter also has to go through the procedures of every single Parliament of the 27 member states. Let us be clear about this: the article is designed to damage a country that leaves. It is a disgraceful article and should never have been put into the treaty. It is one of the reasons many of us believe that the Treaty of Lisbon should have been subject to a referendum, and believe it was a disgrace that it was not. A lot of the damage we have suffered since entering the European Union has arisen due to the persistent view that people will not respect one another's rights or the rights of member states. Article 50 does not respect the rights of member states.

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