



Is the “UK Settlement” an EU Fresh Start?

Statement from supporters of the Fresh Start Project

It is widely accepted that the EU requires fundamental reform. Such reform is necessary, not only to realign the EU project with UK interests and public opinion, but also to show that it can adapt to new times and work better for Europe as a whole.

This is why we initiated the Fresh Start Project in 2011. The aim of the project was to come up with ideas to change the EU for the better, to make it more cost effective, democratic, accountable and open; a club that concentrates on delivering real benefits for its citizens.

The result of this work was set out in our Green Paper “Options for Change”, and was designed to contribute to and inform a renegotiation that would be in the interests of all EU members.

The Prime Minister has now come to the end of a hard won renegotiation. It has taken place during a period of great change within Europe, and his own negotiating position was backed up by the certainty of a UK referendum. This gave the best possible chance for change in Europe we are likely to see for a generation.

So was the EU able to rise to the occasion and show that it is capable of fundamental reform? Now that the ink is dry on the UK’s settlement we have studied the text to see if it fulfils the hopes for reform we had when we began the project.

Regrettably, the changes on offer fall far short of the opportunities that we identified, with the vast majority of key underperforming EU policy areas unaddressed.

We began the Fresh Start Project with open minds as to the UK’s membership and with a clear preference for reform over exit. It is still the case that some colleagues who took part in Fresh Start believe the UK is better off remaining inside the EU. However, faced with a choice between an uncertain future in an unreformed EU and the alternative, which is to leave, to trade freely and to set our own laws, we have concluded that it is in the UK’s long term interests to leave.

Andrea Leadsom MP George Eustice MP Chris Heaton Harris MP

Priti Patel MP Dominic Raab MP Tim Loughton MP

Penny Mordaunt MP Kwasi Kwarteng MP Anne-Marie Morris MP

Jason McCartney MP Mike Wood MP Karl McCartney MP

Heather Wheeler MP Andrew Bingham MP Nigel Adams MP

Conor Burns MP Greg Knight MP James Wharton MP

Have the goals of the Fresh Start Project been achieved?

In 2011 the Fresh Start Project was formed by over 100 Conservative MPs who shared a vision that fundamental reform of the EU was possible.

We established an All Party Parliamentary Group for EU Reform which undertook a serious body of research aimed at promoting a renegotiation led by the UK Government. This work included the EU Fresh Start Green Paper: "Options For Change" which considered reforms in 11 policy areas.

Following the Prime Minister's commitment to holding an In/Out referendum, we published our "Mandate for Reform" in November 2013, with clear proposals for the reforms we believe would be in our national interest.

We have set out below Fresh Start's treaty and non treaty reform proposals, together with our assessment of how the UK settlement as announced by the Prime Minister compares with them.

Whilst we recognise the huge effort the Prime Minister has put into the renegotiation, we are disappointed that his fellow European leaders did not take this opportunity to make the reforms that Europe so desperately needs. Alas, we do not believe that the deal finally offered by our European partners is one we can support as the basis for our continued membership of the EU.

Proposed Changes From “Mandate for Reform”:

Competitiveness

	Change Suggested	Achievement	Assessment
Treaty Change	A legal safeguard for the Single Market written into the treaties	Principles of non-discrimination and equal treatment agreed by all states in legally binding agreement. Red flag mechanism which UK can unilaterally trigger to raise objections to discriminatory proposals, but not veto. Agreement to write off substance of changes into EU treaties in future.	Partially achieved
	Repatriation of EU Social Policy		Not attempted
Reform within existing EU treaties	Enforce Single Market rules for trade in services	Commitment to deepen single market in services. Practical implementation remains unclear.	Partially achieved
	Better regulation – apply ‘one in / one out’ rule, introduce sunset clauses plus exemptions for small businesses	Commitments on better regulation, including annual review of EU rules. Practical implementation remains unclear.	Partially achieved
	Prioritise Free Trade Agreements	Commitment to do so, but no specific targets agreed	No targets agreed although TTIP still in progress

Flexibility

	Change Suggested	Achievement	Assessment
Treaty Change	End 'Ever Closer Union'	UK no longer required to commit to 'Ever Closer Union'	Partially achieved, commitment to reflect in treaties at next treaty change
	Opt out from all Criminal Justice and Policing, pursuing operational co-operation by other means	UK used existing block opt out but then opted back into measures under new ECJ jurisdiction	Not attempted
	Secure opt out to Charter of Fundamental Rights		Not attempted
	End the 'Strasbourg Circus'		Not attempted
Reform within existing EU treaties	Access to benefits	Seven year emergency brake on EU migrants' access to in work benefit, graduated over four years. Limiting cost of child benefit sent abroad to standard of living in other states. Both still pending approval in European Parliament	Partially achieved
	Reform Energy Policy	Revision of the ETS system	Work in progress outside the renegotiation
	Reform EU Institutions	Reduce cost of Commission staff Reduction in number of EU quangos	Not attempted
	Decentralise Regional Policy	Repatriation of regional policies except for poorer Member States	Not attempted
	Modernise the Common Agricultural Policy	Reduction of direct subsidies Light touch regulation Devolution of conservation policies Reduce tariffs	Not attempted
	Regionalise Common Fisheries Policy	'Catch quotas' rather than 'landing quotas' Regain control of territorial waters Regionalisation	Partially achieved outside renegotiation Not attempted Partially achieved outside renegotiation

Democratic Accountability

	Change Suggested	Achievement	Assessment
Treaty change	Introduce a Red Card	The Prime Minister has achieved a Red Card, although the threshold at 55% is set very high. The Fresh Start proposal to extend this to existing legislation has not been achieved.	Partially achieved
	Strengthen existing Yellow Card		Not attempted
	Introduce an Emergency Brake which would require unanimity in the European Council	An Emergency Brake has been negotiated that can delay, but can be overridden. The Prime Minister has achieved a mechanism to refer financial proposals back to the European Council for further discussion to seek a solution if non-Euro states object to a measure.	Partially achieved
	Unpick perverse judgments of the ECJ through a mechanism to quickly amend legislation		Not attempted
Reform within existing EU treaties	Extend the Double Majority Lock to protect non-Eurozone countries	An Emergency Brake has been negotiated that can delay, but can be overridden. The Prime Minister has achieved a mechanism to refer financial proposals back to the European Council for further discussion to seek a solution is non-Euro states object to a measure.	Partially achieved
	New EU Freedom of Information Act		Not attempted