

Issues re: The PM The Irish Border No BREXIT Preparations. EFTA  
and Irish Border and horses: [4 3 2018] rw-m.

**The Prime Minister's recent speech at Mansion House marked a new stage in the battle to leave the European Union.**

Replacing her earlier speeches and statements that had drawn criticism of 'appeasement', was a new platform of "apparent" pragmatism unseen since the presentations of the campaigns that persuaded the majority of British voters to LEAVE the European Union.

Criticisms levelled at Mrs Mays's negotiating skills have been drawing the inevitable comparison of the actions of a previous Prime Minister, Chamberlain, and his Foreign Secretary Lord Halifax. That moment of history is now being replayed to new generations as the audience of 'The 'Darkest Hour'.

But now we have seen another side of Theresa May, exposing a hand of apparent steel concealed inside the velvet glove of her new offer of mutual respect and partnership proposals, yet without understanding the strict rules of EU Harmonisation.

She does not understand the inadequacy of the customs checks when the processes of EU CONFORMITY are in issue. These are explained in part in the race horse scenario below. Her approach is illogical, based on false premises and it will not work.

AS Dr R North says "Clearly, she does not seem to understand that the essence of these "non-EU bodies" in the WTO, where many rules are made outside the EU, is to promote common standards, and in virtually the same breath that she extols our "unique starting point" of having the same laws and rules, she seeks to change them and opt for commonality of outcome rather than harmonisation".

Her more detailed list of expectations has elevated the 'impossible' to the 'why not?' by revealing some chapter and verse examples of 'cherry-picking' agreed between the EU and other 'partners' who are *not* members of the European Union, its single market or customs union.

Mrs May seek to encourage the remaining member states of the EU and to remind the unelected Commissioners that a 'good deal' is in the interests of those remaining in the EU as well as those of us who are leaving.

But time is hopelessly short. All sides need to examine the detail of how we can in **harmonised practice** continue to do business seamlessly from the expiry of the Article 50 declaration, via a short as possible period of 'transition'.

Mr C Booker and Dr R North think that Mrs May cannot succeed. The CIB and others on this CONCORDANCE web site so agree. Therefore Mrs May needs to re-evaluate re- joining EFTA. That works as a proven package deal. It recovers

the freedom from the CFP of the UK Fishing Industry which will be Sovereign again, as is that of Norway now.

### PREPARATION FOR FAILURE or for success

These are nowhere to be seen.

Beyond the principles of any putative new May “Mutual Recognition and Harmonisation” agreement are strewn details of thousands of pieces of EU Regulations/Directives dealing with diverse issues of mutual benefit. A mechanism to identify and deal with all these non-headline but vital business arrangements needs to be identified. Preparations are long overdue Mr Hammond..

It is only to be hoped that Mrs May’s Brexit Team and the Civil Servants who work on these challenges are aware of these complex inter-leaved issues and will use their “expertise” to ensure that all business sectors, large, small and special interest, have a smooth transition. However they need to start now on a basis that Mrs May’s will not achieve her objectives and all EU trade will grind to a slow pace. Preparations are essential but none are to be seen in this land of Chamberlain and Halifax.

### UK as a 100% VASSAL STATE of EU/ECJ –V- Proven package of EFTA MEMBERSHIP and no ECJ and 25% Directives/Regulations

A smooth transition after 29 3 2019 into a vassal EU transit station seems inevitable and would be the worst of all worlds. Mrs May should re-join EFTA..

Let us “wistfully” assume for a moment that Mrs May wish list “could” be satisfied, yet there are no plans for any exit from this Vassal EU lock in. The UK has no control over the EU whose pragmatic co-operation, so absent to date, is so essential, and will be essential throughout the process from this speech until the UK passes through the Exit from the EU Transit Station.

It is all simply a bad and hopeless strategy being led by an ill-informed PM with the best of intentions.

### Irish Border and horses:

A simple tale out of thousands that lie strewn across the paths to Brexit.  
STANDARDS: Conformity and Sanitary and phytosanitary checks

Just one small example of the myriad of complex issues of detail are race horses and their cross border transport issues. These details centre on STANDARDS: Conformity and Sanitary and phytosanitary checks. The article and its authorities reveal the near impossible task of taking this unique May route rather than the stepping stone of EFTA as promoted in detail by Dr North in Flexcit.

Dr Richard North wrote about this on [2 February 2017](#), in [eureferendum.com](#), drawing attention to the effects of Brexit on horse racing. In particular, he referred to the [tripartite agreement](#) \* on the movement and trade of horses between France, Ireland and the United Kingdom, noting that this could **cease** once the UK left the EU, with a devastating effect on racing in all three countries – and especially Ireland. “The value of the trade is circa £3.45 Billion to UK economy and underpinning a £12.6 Billion gambling industry.” Says R North.

Problems may well be delayed if a transitional agreement is concluded but, as tensions build over the Irish border question that is by no means a done deal. On 29 3 2019 all horses may have to be subject to expensive veterinary checks before being sent to EU destinations and, on entry to the EU, must be re-examined in border inspection posts.

Yet once more we see no acknowledgement of this problem or any other such problems and therefore no preparations for Brexit at all. It is a tragedy that the PM and her Government and Chancellor have no idea of the loss and suffering that no preparations will entail. The less preparations that are made, then the longer the UK vassal state will be imprisoned in the EU Transit Station.

STANDARDS: Sanitary and phytosanitary checks and EU CONFORMITY.

Such checks will also extend to foods of animal origin - with separate checks for plants and plant-based foods and other materials.

These issues arise whether we are dealing with agricultural products or otherwise. It is not so much a matter of The Customs Union, but more to do with departure from the Single market and a single regulatory area. Customs checks are different from the Processes and Inspections and Certifications of Conformity which ring fence the integrity of the Single Market. These issues are not being reported properly and nor is the Government or the Opposition listening.

As R North says “Clearly, the requirement for sanitary and phytosanitary checks is entirely unaffected by customs union agreements which, in itself, means that the hard regulatory border becomes a reality even with a fully-fledged customs union between the EU and the UK.”

EU Standards must be met and responsibility for accuracy must be taken within the EU. This is usually the obligation of the Importer within the EU. [see more on the CIB web site. Try “WRONG WAY. Mrs May’s unintended trashing of the successful NOBO industry” 22 1 2018.]. “A wide range of products are required by EU product Law to undergo THIRD PARTY CONFORMITY ASSESSMENT and/or testing by independent accredited organisations (NOBOS) in order to be placed on the market in the EU and EEA.” These are Conformity Compliance tests. These matters cannot be omitted and lost in Brexit rhetoric. They are an EU inflexible principle of their opus operandi.

As R North succinctly puts it, the Collective UK Media and Government “seems incapable of understanding that there will need to be a whole range of physical checks at the border, once we leave the Single Market. Electronic checks, and even beyond the border inspections, are no substitute.”\*\*

\*\* <https://echa.europa.eu/support/getting-started/only-representative>

## **EFTA BREXIT Package in contrast to the unique May Brexit pathway.**

As there are no plans for a Brexit EU package like the stepping stone of EFTA, outlined in minute detail by R North in FLEXCIT, then each item [like race horses] must be dealt with and be the subject of specific re-negotiation. EFTA brings a total proven interim package. It is not a final destination but it permits Brexit with a subsequent period in which to re-negotiate these many and multiple technical issues over a 3-7 year time frame. In addition EFTA membership would enable UK to remain within the EEA and so preserve the business of all NOBOS yet accept less than 25% of EU laws.

However this is not the preferred UK Government route. The reasoning has never been understood nor explained until this week. It seems flawed. The preparations for Brexit yet are unknown or non-existent and the May leadership for our future is determined yet based on hope..

Roger Wright-Morris

[MY Thanks go to many and especially to the CIB and to Dr Richard North for their background research and hard work over many years].

### **\*TRIPARTITE AGREEMENT BETWEEN FRANCE, IRELAND AND THE UNITED KINGDOM CONCERNING THE MOVEMENT AND TRADE OF EQUIDAE**

The Chief Veterinary Officers of France, Ireland and the United Kingdom (“the signatory Member States”) make this agreement in accordance with Article 6 of Council Directive 2009/156/EC (‘the Council Directive’).

#### **12) Replacing previous Agreement**

12 This document replaces the Tripartite Agreement between France, Ireland and the United Kingdom concerning the movement and trade of equidae dated 18th May 2005. It will enter into force on 18th May 2014 and until that date the Tripartite Agreement dated 18th May 2005 will remain in force. The agreement will be reviewed by the signatory Member States on an annual basis and Appendix II may be amended by mutual agreement at six monthly intervals

#### **3) Exemptions under the Agreement**

3.1 In the case of movement between France and Ireland and between France and the UK, equidae, other than equidae consigned for slaughter, demonstrated to be of high health status by an Approved TPA Body, and travelling with a DOCOM together with a valid identification passport are exempt from the following requirements of the Council Directive.

(a) inspection and certification within 48 hours before embarkation or loading prior to movement of equidae between the signatory Member States; and

(b) for equidae to be accompanied by a health certificate or a health attestation.

3.2 In the case of movement between UK and Ireland equidae, other than equidae consigned for slaughter, travelling with a valid identification passport -issued by any approved passport issuing are exempt from the requirements as set out in paragraph 3.1 (a) and (b). E TRIPARTITE AGREEMENT

5.3 Equidae travelling between the UK and France, or France and Ireland that do not qualify as being of high health status under the control of an Approved TPA body, must fully comply with the requirements of Council Directive 2009/156/EC

## **2) Definitions**

2.1 "Equidae" means domestic horses of the equine or asinine species or crossbreeds thereof.

2.6 "DOCOM" means a commercial document (as set out in Appendix II of this Agreement) generated by an Approved TPA Body or a designated transporter approved by, and acting on behalf of the Approved TPA Body, detailing the proposed movement including the premises of origin and the premises or event to which it is proposed the equidae is to be moved. The approved body shall be responsible for ensuring that designated transporters act in accordance with the principles of the Agreement. It shall include a declaration reflecting the high health status of the equidae, identified by reference to its passport (issued in accordance with Commission Regulation (EC) No. 504/2008)).

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